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Legislative Assembly of Ontario

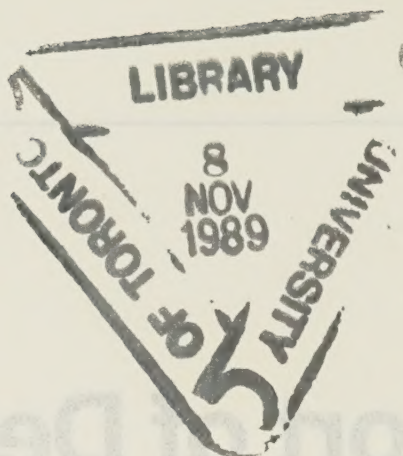


Second Session, 34th Parliament

Wednesday, 14 June 1989

Speaker: Honourable Hugh A. Edighoffer

Clerk of the House: Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday, 14 June 1989

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

LABOUR DISPUTE

Mr R. F. Johnston: I want to draw the attention of the House to the possibility of a strike, as early as this weekend, in the city of Toronto by the Canadian Union of Public Employees workers of Local 79. There are 12,000 workers in mediation at the moment, including some 600 child care workers and 1,300 full-time workers in homes for the aged as well as another 1,600 part-time workers in the same homes for the aged.

The reason I raise it here is that the province of Ontario has decided to request that Metropolitan Toronto divest itself of its day care centres. It has suggested that the homes for aged should have their funding frozen. It has provided an increase of only four per cent as an inflation adjustment to Metropolitan Toronto. This is causing the potential strike to take place because, as people will know, the inflation costs in Metro are around 6.5 per cent to seven per cent at the moment.

This province, of course, has decided to give us extra taxes if we live in the Metro area, to punish us for the privilege of living here in Metro. We are directly responsible at this level for the potential strike or cutback in services or other serious difficulties that will arise for children who are in day care or old people in homes for the aged as a result of our obdurate Treasurer (Mr R. F. Nixon), who decides we should pass on only four per cent to the city of Toronto and to Metropolitan Toronto.

JAMES WESTCOTT

Mr Pope: I note with regret the passing of James Westcott, a police reporter with the Toronto Sun. While a high school student, Jamie was recognized for his contributions to his school through numerous awards and distinctions that he earned while he attended that school in London. He was an excellent student, graduating from Centennial College with a diploma in journalism.

In his all-too-brief journalism career, through hard work and dedication, he shared or received himself numerous awards and citations. He was a credit to his profession, which in return respected him. He was a source of pride to his family, who loved him. He carried his pain and the effects of his disease with dignity until his life ended at the age of 25.

To his wife Lori, his mother and dad, Virginia and Clare, whom many of us know so well, and to all his family and friends, all members of the Legislative Assembly offer our sincerest condolences at the passing of Jamie Westcott.

COMMEMORATION DAY

Mr Fleet: Today is Commemoration Day. It is also a tribute to the faith and determination of people striving for freedom.

People of Estonian, Latvian and Lithuanian heritage commemorate 14 June 1941. On that day, occupying Soviet armed forces in the Baltic states began massive deportations of Estonians, Latvians and Lithuanians to Siberia. In an act of cultural and national genocide, 78,000 men and women, including the elderly and children, were forcibly transported away in cattle cars. This and subsequent waves of Soviet deportation and executions directly reduced the Baltic population by 20 per cent.

The effects of forced depopulation and subsequent Russification are still being felt today. It has taken almost half a century, but finally the Baltic states are regaining a measure of sovereignty. Gains over the last few months are still fragile and the struggle for democracy continues.

We congratulate and encourage the people of the Baltic states for their courage and persistence. Lithuanians, Latvians and Estonians are also a symbol for the Chinese students and other Chinese citizens who cry for democracy in the face of brutality by another totalitarian regime.

Let us be of one strong voice for democracy for all peoples of the world. Let us join in commemoration for those who have suffered and sacrificed for freedom.

SKILLS TRAINING

Miss Martel: The Ministry of Skills Development administers the Ontario skills development

incentive program, designed to meet employer training needs. It would be a good program if adequate funding were actually provided.

As an example, the township of Hagar in my riding requested funding for training of two municipal employees. Council was advised there was no funding left for this fiscal year for training projects submitted by municipalities.

A call to the Sudbury Skills Development office revealed that indeed there is no more funding for 1989-90. There are 6,000 employers hoping to access the program and only 325 clients can be served. These 325 clients are divided into eight economic sectors, of which municipalities are only one sector, entitled to 20 per cent of the overall budget. That 20 per cent is also being used to respond to clients on waiting lists from last year.

Funding problems aside, the application process is bizarre. The township of Hagar must first request to become a registered client of Skills Development, not of the program itself. Next January, if accepted as a client, the municipality would meet with a ministry consultant to develop a training program for the employees. The municipality would then apply for training funding, but this time under the incentive program itself.

Managers of the program would then determine if the application meets the guidelines and if the project will be funded. Therefore, even if the municipality becomes a client and submits a program, it is not guaranteed to receive funding.

Surely this program needs to be reviewed, both concerning the level of funding and the selection process itself.

ACID RAIN

Mr Jackson: I would like to take this opportunity to offer our support for the steps being taken by the United States to finally curb acid rain emissions south of the border. The champagne corks may not be popping, but it is indeed a historic occasion to see that the efforts of our federal government in Ottawa are finally paying off. Clearly, the United States has recognized the acid rain threat as a real threat.

Combined with the existing Canadian reduction program initiated in 1984, the US program should cut acid rain emissions over eastern Canada in half by the year 2000. The President's bill is a positive first step in the right direction that will improve the airways over our country. The Canadian Coalition on Acid Rain has praised this bill as "a real program that has teeth." When interviewed yesterday, the president of the

coalition, Jeffrey Shearer, said, "We have a really terrific start."

We must now give our full support to the federal government to seek improvements in the United States bill and to strike an international agreement that commits both our countries to achieve their promised targets for our environmental safety.

1340

SUNNYCREST NURSING HOME

Mr Furlong: I rise today to pay tribute to the staff and volunteers of the Sunnycrest Nursing Home in Whitby.

Earlier this spring, Sunnycrest was presented with a Long-Term Care Achievement Award by the Ontario Nursing Home Association.

Last week, Sunnycrest presented awards of its own. Two and a half years ago a Sunnycrest volunteer, Helen Mulligan, convinced the staff and administrators to open a care college for the residents of the home, the only college of its kind in Ontario.

The purpose of the college has been to stimulate the residents' feeling of ability and accomplishment, to give them a sense of challenge and to increase their awareness and concentration.

Courses ranging from conversational French to armchair travel run once a week for seven weeks and are approximately 45 minutes in length. Depending on their content, courses are awarded from between one and five credits. A total of 30 credits is required to graduate.

On June 6 of this year, Sunnycrest Nursing Home honoured its first care college graduates. I know all members of this House will join me in saluting 65-year-old Margaret Sears, 68-year-old Mary Napier and 92-year-old Effie Ralston, the Sunnycrest Nursing Home Care College class of 1989.

I would also like to extend congratulations to the college dean, Helen Mulligan, nursing home administrator Jean Forrest and life enrichment director Lynda McNabb, who have brought real meaning to this year's seniors theme, Tap the Potential.

JAMES WESTCOTT

Mr R. F. Johnston: I wish to briefly join the comments by the member for Cochrane South (Mr Pope) about the very sad passing of Jamie Westcott, which most of us have read about in the papers today. He was a young 25-year-old reporter, and in connection with this House, the

son of a servant of this place for many, many years—Clare Westcott, a constituent of mine.

Along with his wife, Virginia, he is, I am sure, suffering a great deal, as do all families that have a premature death of this sort strike them. On behalf of our caucus colleagues, I would like to pass on our condolences to that family today in this time of need.

STATEMENTS BY THE MINISTRY

TORONTO AREA TRANSPORTATION

Hon Mr Fulton: Ontario's efficient system of roads, highways and transit is essential to the economy. Spending on the transportation system has increased by more than 30 per cent since 1984-85 and totalled \$2 billion in 1988-89. However, sustained economic growth will require enriched funding to reduce congestion and improve access to growing markets.

Accordingly, the government is committing an additional \$2 billion over five years to the new transportation capital program. This program will support highway capital projects, major municipal roads, transit projects and additional GO Transit services, details of which will be announced at a later time.

Today, I would like to provide added details to highway and road improvements scheduled for the greater Toronto area. The projects outlined are consistent with Transportation Directions for the Greater Toronto Area, a document I released in May 1988, following consultation among the several regions in the GTA.

Through this budget, we have been able to commit \$690 million in new capital funding to provincial highways and municipal roads in the GTA. These new funds will accelerate work on several developments.

Specific highway projects were named in the budget. The largest of these is Highway 407, a northern bypass of Metropolitan Toronto. Over the next five years, we will be flowing an additional \$83 million, for a total of almost \$300 million, to Highway 407. That will allow us to expand to construction on three projects from the current one.

Design work will begin this year on extensions east and west from the current phase 1 project between Highway 427 and Dufferin. Construction on phase 2 from Dufferin to Woodbine, Highway 404, will now start in 1991. Phase 3 from Highway 427 to Airport Road will now start in 1992. Previously, no start dates had been scheduled.

Further, construction will begin this year on the expansion of the collector-distributor lanes

on Highway 401 east of Highway 48 to Brock Road in Pickering. Accelerated funding will permit completion of the project three years ahead of schedule, in 1997.

Additional widenings of Highway 410 north from Highway 401 will also start this year.

Next year, construction will begin on the new link of Highway 403 from the Queen Elizabeth Way north to Highway 5 at an additional cost of over \$40 million.

In 1992, there will be an acceleration of the widening of Highway 401 west to Mavis Road in Mississauga at a cost of \$15 million.

I might add that there are a number of other provincial highway projects in the greater Toronto area, but today I have limited myself to highlighting those projects on controlled-access freeways. I will be detailing the other projects over the next few weeks.

This infusion of new highway capital dollars will also allow the government to get started on a wide number of rehabilitation and widening projects. Again, details on these projects will follow.

Funding for municipal roads in the GTA has also been enhanced. The five-year accelerated capital program provides an additional \$65 million over current provincial funding.

The provincial government will continue working with municipalities on projects that have been identified in our Transportation Directions document.

I have mentioned the importance of expanding the transportation system to advance Ontario's economy. An important factor in that economy is employment. We estimate that the construction jobs, suppliers, services and indirect employment generated by the capital program across Ontario will total 35,000 person-years of employment.

Employment, efficiency and enhanced safety all justify expanded investment in transportation. Ontario's competitiveness and employment opportunities will be greatly promoted by the development of the economic corridors provided for in the transportation capital fund.

RACE RELATIONS

Hon Mr Phillips: I know that all members of the House will join me in condemning a very disturbing act of overt racism and antisemitism. I am speaking, of course, about the vandalism that occurred at the Shaarei Shomayim Synagogue and Yeshiva in Toronto. It was obviously perpetrated by an organized and vicious group of individuals.

My ministry staff, and particularly the staff of the race relations directorate, have been, and in fact are today, meeting and consulting with representatives of the synagogue and the Canadian Jewish Congress. We have expressed strongly to them our outrage, on behalf of the government, for this action.

Such actions are tragic not only for the Jewish community but for all people of this province. For people who are committed, as we all are, I know, to making our society a model of tolerance and compassion, it is incidents like this one that remind us that elements of intolerance, bigotry and antisemitism are far more prevalent than any of us would like to believe.

The Ontario policy on race relations states in part, "Racism in any form is not tolerated in Ontario. And racially motivated offences will be met with the full force of the law to ensure the protection of the dignity and safety of all persons in Ontario."

Therefore, I want to indicate that officials of my ministry are assisting the Jewish community in whatever ways we can. Specifically, the race relations directorate of our ministry, in conjunction with the Urban Alliance on Race Relations, is meeting with community leaders to address the issue of recent white supremacist actions. They will be recommending to us a range of public awareness and education activities which will help to combat such actions.

I wish also to commend the Canadian Jewish Congress for showing leadership in offering a reward for information that would lead to the capture of the perpetrators involved.

Finally, I hope that the police investigation which is under way now will reach conclusive results. I know that communities and organizations throughout this province will join with all of us here in speaking out and condemning this awful action that has no place in the Ontario which we wish to build for ourselves and for our children.

1350

RESPONSES

RACE RELATIONS

Mr B. Rae: I do want to respond to the statement made by the Minister of Citizenship (Mr Phillips). I can recall vividly the first time I visited Shaarei Shomayim Synagogue. It was about 20 years ago exactly, in June 1969, to listen to a talk on a Sunday evening by Elie Wiesel, whom I had not heard of up to that time. I listened to him give a talk for about an hour on the

subject of the Holocaust and its meaning for him and for the Jewish community.

The synagogue has been one of the most important in the cultural life of the community and Toronto, and the event which took place on the weekend is an atrocity. I am very proud the minister spoke out today as he did and proud that he has been meeting with members of the Jewish community in order to reinforce the sense of outrage which I hope—I cannot say that I know, but I can say that I hope—unites all the citizens of this province.

The placing of swastikas on the doors of a synagogue is as obscene a gesture as one can possibly imagine. It is as profoundly hurtful and destructive a gesture as could be raised against any person or any group in our community. It has a resonance which frightens and offends. It has an impact in many homes where there are people who lived through Kristallnacht, who managed to get to Canada, who came as refugees after being survivors of the Holocaust in the Second World War.

As a Canadian, I can only say I am outraged—I know the members of my caucus are—but having said that, we must do whatever we can to track down the perpetrators of this kind of a gesture and to make it clear that, while it may seem to them something of a prank or it may seem simply an expression in some perverted form of their own twisted view of the world, we can only say it must not be allowed to happen and it in no way, sense, shape or form reflects the views of the vast majority of the citizens of this province.

It is something that offends gentiles and non-Jews as well as Jews. It is something all decent citizens should be united in speaking out against and in taking steps against, and I congratulate the minister in as full-hearted a way as I can for the statement he has made today.

TORONTO AREA TRANSPORTATION

Ms Bryden: I would like to respond to the announcement today by the Minister of Transportation (Mr Fulton). I think he should be renamed the minister of highway project recycling. Almost all announcements today were in his 19 May 1988 Transportation Directions for the Greater Toronto Area. The May 1988 document apparently aroused so little interest and dropped with such a thud that he is now deciding to recycle it and bring out those great announcements that were in it, but it was mainly completing a few connecting links on highways already started.

I admire the minister's enthusiasm for adding to urban road congestion in the greater Toronto area and encouraging more urban sprawl, which is eating up our very precious farm lands and adding more congestion into the centre of the city. I am still shocked that he has not listened to those who want more action on public transit to get more people out of their cars so that we do not need as many highway extensions. So far, he has not responded beyond the one little extension of the Spadina subway.

I had hoped that this announcement today would be on public transit as well as public roads, and I am still waiting for him to—

The Speaker: The member's time has expired.

RACE RELATIONS

Mr Brandt: I want to join with the Leader of the Opposition (Mr B. Rae) in congratulating the Minister of Citizenship and the minister responsible for multiculturalism (Mr Phillips) for his very strong and, I think, very specific response to the incident that happened at the Shaarei Shomayim Synagogue. I too, along with my party, want to indicate that the defacing of that particular synagogue on the part of some unthinking and obviously irresponsible individuals is intolerable in today's Ontario.

I and the members of my party are proud, as I am sure the minister is, to be citizens of this great province. One of the reasons that I guess I stand proudly as an Ontarian as well as a Canadian is that we have, through this grand experiment of bringing peoples together from so many countries, developed a society with a great deal of tolerance. When we see these kinds of individual incidents, I think it brings home the reality that we need a human rights commission; we need the kind of race relations division that was set up in 1979 to guard against those kinds of individuals who in a very insensitive and unacceptable way would perpetrate this kind of crime against a group within our society.

I want to endorse what the minister has said in his statement. I want to say that our party shares the sensitivities that the member has in regard to this kind of behaviour. We wish him, the police and others who are looking into the incident the very best of success in bringing to justice those individuals who have perpetrated this particular intolerable crime. Good luck to the minister.

Mr Cousens: I just wish that all members had a chance to speak in support of what the Minister of Citizenship has said today. I do not think there is any doubt that across this province we just

cannot accept the intolerance that people are showing to people of the Jewish religion and what has happened there. I thank our leader for what he has just said.

TORONTO AREA TRANSPORTATION

Mr Cousens: The Minister of Transportation (Mr Fulton) has made an announcement today and, just to put it into perspective, I think we should realize that transportation funding is now at a catch-up point. Thirty per cent of the transportation funding is purely that of catch-up for 40—for four years of neglect.

Mr Carrothers: Forty-two years.

Mr Cousens: The taxes have increased by over 100 per cent. The last four years this government has had a chance to do something and has been—

Interjections.

The Speaker: Order.

Mr Cousens: I make it very clear that during the past period of time this government has had a 50 per cent increase in its domestic product but there has been only a 30 per cent increase in the transportation budget. I will accept his responsibility on the part of all people to put something into transportation, but the failure of this government to do what it needs to do—

Interjection.

Mr Cousens: My good friend the member for London North (Mrs Cunningham) points out that the median barriers still are not on the agenda, but let me give the minister a compliment. It is good to see something happening with Highway 407. I know the people of south York region will join in thanking him.

It is good to see something happening with Highway 401 and its widening. I just wonder how the people are going to get in and out of Toronto during that process. I hope he can start putting some deadlines on when the work is going to be done rather than stretching it out for an extended period of time. Highway 410 is certainly a needed project, and Highway 403. I want to save a moment for my honourable colleague the member for Burlington South (Mr Jackson) to comment on that one.

The fact is there is no mention about Highway 416 or eastern Ontario in the statement of the Minister of Transportation. There is no mention of the northern highways such as Highway 69, Highway 17 or Highway 11.

The fact is we are not satisfied with what is happening. There has to be a far greater emphasis on resolving the problems of transportation in

and around Metropolitan Toronto. It is serious. This minister is just coming out and reannouncing projects that have been announced previously. It is high time he stayed on top of it. I hope he is there long enough to really make it happen.

1400

Mr Jackson: I, too, would like to commend the road initiatives which are included in the statement, but also to clarify a point. I called the ministry and found out that the Queen Elizabeth Way-Brant Street interchange—which we had to coerce the ministry into announcing a year ago—is now being funded by the greater Toronto area. Halton taxpayers will pay \$200 million to the Treasurer (Mr R. F. Nixon) under his GTA tax and we are only going to get less than \$100 million back.

ORAL QUESTIONS

CONDUCT OF CABINET MINISTERS

Mr B. Rae: I have some questions for the Minister of Culture and Communications, in the absence, I might point out, of the Premier (Mr Peterson) today.

I am sure the minister has had an opportunity to read yesterday's Hansard; I expect that she has. She will find on page L-13 that the Premier, in answer to a question from me, said, "My impression was"—this is his impression from the conversation that he had with the minister last Wednesday—"that she mentioned a number of people and her mother was mentioned, as my friend is aware."

I wonder if the minister can clear this up once and for all, because there do appear to have been two different impressions left behind. I wonder if she can tell us if she referred to Mrs Starr a number of people, among whom was her mother, or if she simply mentioned her mother's name and no other names. Which is it?

Hon Ms Oddie Munro: I mentioned the name of my mother and no other names.

Mr B. Rae: I am glad we finally had that cleared up.

Can the minister recall exactly the circumstances of this conversation? Can she recall when it happened, where it happened or whether it was the end of another conversation? Exactly what were all the circumstances surrounding this particular conversation that she had with Mrs Starr?

Hon Ms Oddie Munro: I had a conversation with Mrs Starr in which she asked if I knew of anyone who could assist her in making a mailing, basically a mailing, connected to the survey. I

asked her exactly what it would entail and she told me. I said I knew the names of several people in Hamilton who could do that and that my mother could certainly do that, because she had done that work in the past.

My recollection is that it was on a social occasion. I did not pursue the nature of the work any further and, in fact, the first opportunity I had to know that there was any work performed by my mother was when I read it in the press.

Mr B. Rae: The minister has not told us what year it was or where it was. I take it from the minister's statement that it was not a phone conversation, it was a one-on-one conversation. Can the minister tell us, then, when this conversation was? Does she admit that, in the course of social conversation, she also gave a phone number to Mrs Starr in relationship to this particular contract?

Hon Ms Oddie Munro: My recollection of the time of the year would have been spring or early summer. I had seen Mrs Starr in a variety of positions. As we all know, she was connected with the National Council of Jewish Women of Canada. She was also a professional and a volunteer in her own right, and was also connected with the Metropolitan Toronto Housing Authority.

I cannot place exactly where I had the conversation, and to the colleague who is asking what year, I indicated it was about two years ago.

Mr B. Rae: So we do not know whether it was 1986, 1987 or when it took place in that sense. The minister does not have any idea; she has no recollection at all of what year it was.

Hon Ms Oddie Munro: I will repeat. I indicated two years ago, in the late spring, early summer.

Mr B. Rae: It is an important fact of the minister's financial returns that the recipient of this particular contract made a \$750 contribution to the minister's campaign on 21 August 1987, as did Harry Oddie make a similar contribution of \$750. So the timing of this particular conversation is of some importance.

The minister has now had some opportunity to reflect on the appropriateness of her conduct. Can she tell us, does she not now realize that to refer her mother to Mrs Starr, knowing the nature of the funding relationship between her ministry and Mrs Starr, was inappropriate and is something that needs to be examined by the minister, is something that needs to be reviewed by the minister and understand that it was an inappropriate suggestion by the minister that a contract of

that kind should be given to her mother by Mrs Starr?

Hon Ms Oddie Munro: The conversation I had with Mrs Starr was a casual conversation. At no time did we discuss the nature of the contract, the group or individual it was being done for or the payment of fees and services. I therefore do not believe I am in conflict of interest.

Interjections.

The Speaker: Order.

Hon Ms Oddie Munro: As I have indicated to the House, I have written a letter to Mr Justice Evans to determine if he feels I am. I do not feel that I am in conflict.

Mr B. Rae: Has the minister had an opportunity to get a copy of the survey that was contracted for by Mrs Starr and has she made inquiries as to exactly when the survey was done, what it was about and to whom it was mailed?

Hon Ms Oddie Munro: I have had no further contacts with Mrs Starr about that conversation and do not have a copy of the report.

Mr Brandt: My question is also for the Minister of Culture and Communications. It is in regard to the letter she did in fact send to the Conflict of Interest Commissioner, Mr Justice Evans. My staff contacted the minister's office to see if we could receive a copy of that letter in order to determine the parameters upon which this investigation will be carried out and to see what information she did provide to the commissioner, so that would be known to us as well. At this point in time, I have not received any response back from her office indicating her willingness or the willingness of her staff to co-operate in making that letter public.

Would the minister agree to table that letter with the Clerk of the House so it will be available to the members of this assembly as soon as possible?

Hon Ms Oddie Munro: In response to the member, I have no difficulty in making a copy of the letter available to the honourable member.

Mr Brandt: I thank the minister. I would like to indicate that yesterday in question period the Premier did make a commitment that everything would be as open and public as possible surrounding this entire matter.

I would like to ask the minister, with respect to the line of questioning that was taken by the Leader of the Opposition (Mr B. Rae) in regard to the \$5,000 contract, when one looks in retrospect at the funding relationship between Mrs Starr, the organization that she headed at that particular time and the way in which those grants are

provided from her ministry, as the minister looks at this, perhaps not as a conflict matter but as a question of judgement, does she not see a very serious problem in the way in which her judgement can be called into question as a result of her referring what is a \$5,000 contract to her mother?

Hon Ms Oddie Munro: I did not in fact refer a \$5,000 contract to my mother. I do not see any conflict of interest. I simply received an inquiry from Mrs Starr for a particular kind of work and made no connection at all with—nor did I ask for whom the work was to be done. She asked for a number of people and I gave her the name of my mother.

I have put the matter before the Conflict of Interest Commissioner. I am confident that the Solicitor General's announcement will see a speedy resolution to many of the questions that you have asked. I want to assure the member that I am more than willing to be as open and accessible and have co-operated to the best of my knowledge in any reported irregularities.

1410

Mr Brandt: Could the minister perhaps inform the House as to the particular guidelines that would be shared with her by the Premier at the time of her swearing in or after, when she became a participating member of the cabinet, not only in connection with guidelines, but in connection with the behaviour of ministers of the crown, relative to family associations and contractual arrangements, perhaps of the kind we have talked about? Did the minister receive any kind of guidance from the Premier's office in that regard at all?

Hon Ms Oddie Munro: As I indicated last week, the Premier expects each one of his ministers to act in an appropriate fashion. We try to do that, to the best of our ability. As a minister, I am aware of all kinds of checks and balances within my ministry to assist in my doing that, and I think I understand exactly what ill conduct and inappropriate behaviour is.

I can assure the member that members of this government and this cabinet are most aware of items on conflict of interest and, in fact, the bill that was put forward reflected many of our thoughts, as it did the member's.

Mr Brandt: What I am trying to establish is conflict-of-interest guidelines we can read and we can interpret, and a strict technical interpretation of those guidelines would indicate that there is a good possibility that Mr Justice Evans may find that there is no technical conflict between

her mother and herself, as it relates to the Patricia Starr matter. That is a possibility, because of the way in which the word "family" is defined within the context of the act.

I ask the minister if, perhaps, she does not feel that there is some sense of question with respect to her judgement or the ethics of her ministry and her decisions within that ministry, relative to this matter, irrespective of what the response is back from Mr Justice Evans.

Hon Ms Oddie Munro: I do not feel that there was any conflict of interest on my part nor do I feel, with all the checks and balances present in my ministry that any group or individual applying for capital or project funds goes through and has to live within the criteria that are established there—I feel very comfortable about that and, therefore, I do not see myself having made any errors leading up to conflict.

Mr Brandt: Understanding that there has been close to \$1 million that has flowed from the government in various ministries to the national council that is headed by Ms Starr, and that this money would have to be approved by various ministers, does it not disturb her that, in addition to the \$5,000 contract, which she is in fact washing her hands of and indicating a certain limited amount of knowledge about, that there were donations made to her own campaign, along with the campaigns of others of her colleagues, that came from Ms Starr.

If one pursued that further, one would see that some of the money used by Ms Starr, according to two Toronto newspapers, was money that was directly linked with relationships of grant money from the provincial government, and in fact was Ontario taxpayers' money. Does she not feel some sense of dis-ease or difficulty with that particular problem?

Hon Ms Oddie Munro: I can assure the member that any group or individual accessing, or at least trying to figure out if they are eligible for capital or project funds through my ministry, go through a fairly rigorous procedure in order to see if they are eligible.

I can tell the member that, in the last couple of reports the auditor has, in fact, reflected on the tightness of those procedures. First, my decision-making authority rests on a number of checks and balances and sign-offs by various members of the ministry. The initial application, as the member would know, is usually received at the field office; a lot of the basic information is received at that point. I feel very, very comfortable that the minister's signing off is done after a lot of careful investigation and decision-making all the way

up, including members of the applicant and also my field staff.

Mr Brandt: Does the minister, in fact, feel comfortable with the fact that something of the order of \$2,000 flowed from the slush fund that Patti Starr was using and that this ended up in a bank account which the minister indicates she had little knowledge of?

I wonder, in response to that particular contribution to her campaign, whether the minister would indicate when she found out about it, what bank account that money was put into—separated, I presume, from her normal campaign fund—and what has happened with that particular money. Has it been returned? Does it remain in the minister's account in her name? What is the disposition of that money from Ms Starr—

The Speaker: Order.

Mr Brandt: —at this particular time?

The Speaker: That is quite a few questions.

Hon Ms Oddie Munro: As the member would know and as I have stated, I received an inquiry from the press in February 1989, asking if I was aware of a contribution or any contribution from the National Council of Jewish Women or Ms Starr. I said that I would certainly take a look through, referring it to my president, and I did so. I understand that he went through the records and informed the Ontario Liberal Party and also the Commission on Election Finances.

I further am told that the money that was not recorded through the riding association was repaid to the commission. In answer to the member's question yesterday about the \$350, I am also informed that money was paid back by the riding association to the commission, the delay being occasioned by the fact that these documents were held by the auditor. All of that can be verified.

Mr B. Rae: The Premier yesterday tried to clear up what happened exactly in terms of who referred this matter to the commissioner. The minister will no doubt be aware that the act which established the office of the commissioner received royal assent on 11 February 1988 and that the jurisdiction of the commissioner took effect on 11 February 1988, which would be the earliest time at which he could be seized of a matter.

I wonder whether the minister would be prepared to release to us today the exact contents of her letter to Mr Justice Evans, exactly what it is she asked him to look into, exactly what the

transaction was that she felt might be improper and whether she would be prepared to make all that public since it is quite possible that the minister has referred—

The Speaker: Thank you, the question has been asked.

Mr B. Rae: —something which the commissioner has no jurisdiction over.

Hon Ms Oddie Munro: As I indicated to the leader of the third party, I am more than willing to release that letter. I am more than willing to take part in any stage of the investigations that are currently going on and being co-ordinated by the acting Solicitor General (Mr Scott)—the public trustee, the Commission on Conflict of Interest or the Commission on Election Finances.

Mr B. Rae: Let me just get quite clear what the minister is saying. First of all, Mr Justice Evans has said he cannot deal with it until after the Ontario Provincial Police investigation. It is quite possible that the judge will also say that there is no way he can deal with this matter because it is something that took place prior to his appointment and prior to the law coming into effect.

What I hear the minister saying and what I heard the Premier yesterday saying was simply this: They are prepared to park their conscience with Mr Justice Evans who may be, in fact, powerless to make this kind of investigation.

I would like to ask the minister, does she not feel in all conscience that what she did was improper, given the nature of the financial relationship between her ministry and Mrs Starr's charity? Does she not realize that?

Hon Ms Oddie Munro: I am not prepared to deal in allegations or possibilities. I sent the letter to the Honourable Mr Justice Evans in order that he could make a decision for me. I have already told leaders of both the official opposition and the third party that I would be more than willing to release that letter.

1420

Mr Brandt: I wonder if the minister could clarify for the House whether it was her decision to send a letter to Mr Justice Evans, or was it a decision by her Premier to have that letter sent to the Conflict of Interest Commissioner?

Hon Ms Oddie Munro: I sent the letter to Mr Justice Evans, and it was concurred with by the Premier.

Mr Brandt: In light of the fact that these allegations are very clear in terms of the moneys that flowed both to her mother and to her campaign fund from a particular individual with

a questionable relationship with her ministry, why would she not do what the present Minister of Health (Mrs Caplan) did under somewhat similar circumstances some time ago and step down from her ministry until such time as this matter has been thoroughly investigated and reported on, indicating whether there is any fault on her part or not? Why would she not do the honourable thing?

Hon Ms Oddie Munro: The definitions of "honour" are manifold. I have indicated to the member that I have done everything as fast as I could whenever any report of irregularities has come to me and that, secondly, I have asked for advice from the Conflict of Interest Commissioner to understand clearly whether he thinks I am in conflict. I am not advised as to whether the Ontario Provincial Police investigation precludes any decision by Mr Justice Evans coming to me. I have heard the member's statement.

SEA LAMPREY

Mr McGuigan: My question is to the Minister of Natural Resources. The Great Lakes Fisheries Commission has said that it needs a minimum of US\$9.6 million in 1990, if it is to maintain its existing sea lamprey control program. The budget for this fiscal year is about \$6.8 million.

The commission says its current control program is inadequate and that upwards of \$15 million is needed to properly fund this important program. Can the minister tell the House what the potential impact of a cut in the control program will be?

Hon Mr Kerrio: I am sure all members would be interested in the impact that the cutting of this funding is going to have on a very important initiative by the two governments of Canada and the United States of America.

The sea lamprey is a resilient animal that has lived through centuries even though man has done everything he can to eradicate it. The sad part of it is that the impact on our fisheries is great. In fact, at one time it had reduced our fish to very small numbers.

Members can see that this kind of fish that has the resilience it does, that attaches itself to another fish and would draw its very lifeblood, is a very serious threat to the fisheries. During a sea lamprey's life cycle it will take some 40 pounds of fish from the Great Lakes. It is a great threat and I am doing everything I can to get the governments of Canada and the United States to have a second look at funding this very important program.

Mr McGuigan: Part of the blame for this lies with the Minister of the Environment (Mr Bradley). Since we have cleaned up some of the—

Interjections.

Mr Reville: It's him. It's him.

Mr McGuigan: No, you.

Since the minister has cleaned up the streams that go into Lake Erie, now it is a hospitable place for the lampreys. The pollution used to kill them, but now they are coming back. I wonder if I could point out to the minister that the Great Lakes Fisheries Commission is jointly funded by the federal governments of Canada and the United States at a ratio of 31 per cent from Canada and 69 per cent from the United States. What is the minister doing to encourage the federal government to adequately fund the sea lamprey control program?

Hon Mr Kerrio: The member for Essex-Kent (Mr McGuigan) is absolutely right on the target. As the waterways have been cleaned up by the Minister of the Environment, the fishing opportunities have come back to what they have not been for 25 years. The commercial and sports fishing on one of our Great Lakes is probably the largest in all of North America and we have to protect those opportunities.

I have written to Mr Siddon on two or three occasions and it looks like the federal government is backing off on everything that is worth while and that we have to do everything we can. I would ask the kissing cousins sitting over there to lean on their federal counterparts to see if they will not do something that is responsible to help us with this great fishing opportunity in this province.

POLITICAL CONTRIBUTIONS

Mr Kormos: I have a question of the acting Solicitor General. Douglas Edgecumbe indicates that he wrote to the Solicitor General two months ago reporting an incident which on its face would appear to be an offence, a serious offence, at least under the Election Finances Act. The question is, when did the Solicitor General, if at all, send that letter from Mr Edgecumbe on to the Commission on Election Finances in view of the fact that it illustrates a serious offence?

Hon Mr Scott: That letter came to my attention as acting Solicitor General—or in any other capacity—this morning. It was communicated by the Deputy Solicitor General, at my request, to the Ontario Provincial Police. I believe that, in the ordinary course, they will notify the election finances administration.

Mr Kormos: Do these types of allegations and this type of information only become important once they become known to the press and are reported? If the letter was sent two months ago, then what was the Solicitor General's office doing sitting on a very serious allegation involving one of the government's own ministers?

Hon Mr Scott: Obviously, the matter is taken seriously. I took it seriously when it came to my attention and we forwarded it to—

Mr D. S. Cooke: You read about it in the Globe.

Hon Mr Scott: No, as a matter of fact—

Mr Pouliot: You have been there since tomorrow.

Hon Mr Scott: No, I have been there longer than that, as the member for Lake Nipigon (Mr Pouliot) knows. When it came to my attention this morning, it was forwarded to the Ontario Provincial Police by the Deputy Solicitor General, and they have communicated with Mr MacDonald of the election finances commission.

AUTOMOBILE INSURANCE

Mr Runciman: My question is to the Minister of Financial Institutions and it is dealing with auto insurance—I am sure that will make him happy—in respect to the announcement by Prudential of America General Insurance Co that it is not going to offer auto insurance to Metropolitan Toronto-area families with drivers under 25. We have been telling the minister for over a year and a half now that exactly this sort of reaction was going to occur because of his government's initiatives: that more and more people were going to be compelled, especially in the Metro Toronto area, into the high-priced Facility insurance.

Can he indicate to us how he intends to respond to this action and other insurance companies' similar actions? Is he prepared to review the risk classification system that he has brought in, with a view to having it recognize the reality of the highways?

Hon Mr Elston: I am particularly happy that the honourable member has asked the question because, first of all, it lets me have an opportunity to clear his mind of something that is not correct, and that is the fact that there is a risk classification that I have brought forward that is causing this difficulty. That, in fact, is not the case. As the member knows, Bill 10 postpones classification implementation, and the member knows that quite clearly.

Interjections.

Hon Mr Elston: That particular situation about which these people are laughing right now is a very serious one. I have to tell the honourable gentleman that from my point of view what is happening with the announcement from Prudential that it will not write insurance for automobile coverage for people with family members is reprehensible. It may not be illegal but it is, in my mind, almost bordering on the immoral to say that when people in Ontario have family Prudential will not write insurance.

I do not like that sort of thing and I have had my staff contact the company. I do know that the people who from my point of view are making statements that family units in Ontario will not be provided with coverage through the private market. It becomes a very bad statement about what the companies think of family units in Ontario. It extends too far, in my mind, for me to condone that type of activity.

I would like to send the very strongest message to the private insurance company, Prudential in this case, and there is an indication or an allegation that other companies are doing something similar, that it ought—

1430

The Speaker: Supplementary.

Mr Runciman: The minister, through his failed policies, has become the chief insurance broker for the Facility Association. The tires have fallen off the minister's auto insurance policies, and in effect he is siphoning the fuel from the tanks of thousands of Toronto motorists by forcing them to line up at the Facility Association for a very costly engine overhaul.

The minister has said he is upset about this. Can he give us some specifics with respect to how he is going to respond to this, how he is going to correct the error and how he is going to help out Metro area drivers, specifically young Metro area drivers, who are being forced to look to the very costly Facility Association as their only source of auto insurance in this province?

Hon Mr Elston: I do not know what the honourable gentleman is trying to indicate his position is. It may be that he wishes the government to insure those people. If that is the case, he should clearly state that as opposed to doing something else.

I can tell the honourable gentleman that while we are looking at product reform in the Ontario marketplace, we will consider all options. I can tell the honourable gentleman where the correction is required: It is in fact the decision by that

private company to more or less do away with covering family units for automobile insurance in Ontario.

I suspect, and I understand, that there is a considerable flurry of activity around that particular company because people are very upset with that. In fact, the market is making it very clear to that company that it is not happy with that announcement.

Interjection.

Hon Mr Elston: If he will give me an opportunity, I will reply. I can tell the honourable gentleman that in an earlier interview with people in the media, I said quite clearly that I take this type of activity so seriously that where it comes to having other products that are held by people in Ontario with that company, perhaps they should consider not doing business with it. I find it reprehensible, as I said earlier, for this company to say—

The Speaker: Thank you.

Hon Mr Elston: —anybody in Ontario with 16- to 24-year-olds need not apply—

The Speaker: Order.

RENTAL HOUSING PROTECTION

Mr Faubert: My question is to the Minister of Housing. Tenants in the buildings of 2029, 2035, 2041, 2049 and 2055 Victoria Park Avenue in my riding of Scarborough-Ellesmere have recently contacted me regarding their concerns about a letter received from their property owner, Laxton and Tobis Investments Ltd. This letter offers them, through an intermediary realty company, an opportunity to purchase their own units.

We are advised that although no application for conversion has been made to date to the city of Scarborough, some residents of these maisonettes are obviously concerned about the possibility of their homes being converted into condominiums. Could the minister advise the House of the protection provided such tenants within the Rental Housing Protection Act.

Hon Ms Hošek: I thank the member for his notification of the question. Under the Rental Housing Protection Act, approval of the municipal council has to be obtained before any rental unit can be converted to a condominium or a co-operative, or severed for separate units.

I am informed that the owners of this property are aware of the act. If they decide to make an application, the act requires them to notify all the tenants that they are making such an application. The next requirement is that this whole matter be

brought up to municipal council. Municipal council is required to hold a public meeting, notifying the tenants about it, and the tenants can say what they wish to say to council about this. They can make their views known to municipal council.

Council can approve this only if it is satisfied this would not have an impact on the supply of affordable rental housing or if the applicant agrees to relocate the tenants who may be displaced to similar units at similar rents, and also to replace any units lost as a result of the applications. There are quite stringent requirements there.

If the municipal council decides to approve this application, it can add further requirements on top of those, but those are the ones in the act. They have to make sure the tenants would have another place to live at a similar rent, similar price, similar location and also—

The Speaker: Thank you.

Hon Ms Hošek: —they would have to say that the supply of affordable housing in the area would not be impacted.

Mr Faubert: I appreciate the response from the minister, because I am holding a meeting with the tenants tonight and I will be sure to pass along the information the minister just provided.

I would like to ask the minister, recognizing that the right of approval lies with the municipal council, what recourse do tenants have if they are not satisfied with the decision that council makes on this subject?

Hon Ms Hošek: If there is a decision made by municipal council that the tenants are dissatisfied with, they can appeal that decision to the Ontario Municipal Board.

CONDUCT OF CABINET MINISTERS

Mr B. Rae: I want to go back to the Minister of Culture and Communications and ask her to tell us exactly what it is she is asking us to believe. She is asking us to believe she had a casual conversation with the president of the organization in question, Mrs Starr. Mrs Starr asked her in a very casual way whether she knew of somebody who could help her out with some mailing. The minister gave her the name of her mother with a phone number.

The minister is asking us to believe her mother apparently got this contract—although she has not seen the contract, has not seen the survey and does not know anything at all about it, \$5,000 apparently was transferred from the organization to the minister's mother—

The Speaker: The question?

Mr B. Rae: —and there were no conversations at any time between the minister and her mother, no talk at all between then and apparently now as to the nature of the relationship between her mother and Mrs Starr's organization. Is that what the minister is asking all of us to believe?

Hon Ms Oddie Munro: That is right.

Mr B. Rae: I can only say, with great charity to the minister, that I find what she is saying stretches any degree of credibility with regard to what happened. It really does just stretch anyone's notion of credibility.

Did it not strike the minister as odd, did it not ever strike the minister as a little bit strange that Mrs Starr, who is the president of an organization that has a very substantial financial relationship with the minister's ministry, would ask the minister if she knew somebody who could help her with some stamps, when Mrs Starr is the president of an organization that has literally hundreds of volunteers who are available to Mrs Starr to do that work?

Would it not occur to the minister for a moment that what in fact was going on was quite simply an effort to buy the minister's goodwill? Did she not understand that—

The Speaker: Order.

Mr B. Rae: —was the nature of the transaction that was being discussed back in 1987 when it took place?

Hon Ms Oddie Munro: No.

APPRENTICESHIP TRAINING

Mrs Cunningham: My question is to the Minister of Skills Development. In November, when he and I were asking and answering questions in this House, he stated in response to my question with regard to apprenticeship programs that he is working with four other ministries to bring out an effective training culture within this province and a working partnership with educational institutions and the business community. Can the minister advise this House specifically of the progress these four ministries have made over the last seven months?

Hon Mr Curling: I am very happy the member asked that question. Those five ministries are working very closely together. They are the Ministry of Industry, Trade and Technology, the Ministry of Labour, the Ministry of Colleges and Universities, the Ministry of Education and my ministry. As members know, we find it extremely important that the training strategy of

this province encompass everyone working together.

Since then, we have met. Each minister has put forward various policies and various strategies and very soon the member will see the results of these committee meetings coming forward, bearing fruit.

1440

Mrs Cunningham: I am really disappointed. To take a look at a Canadian Vocational Association conference, with another \$100,000 spent on a study that tells us things we have known for literally years; that is, that young people are not sure of what they want to do when they finish school, that they are dropping out of school, and by the way, are dropping in and out of the workforce—the study traced the path of young people between the ages of 17 and 28.

When the minister was asked a question about what was needed to solve the problem and provide this competitive workforce and training environment for people, he said he did not have any firm recommendations to offer to this group. He should be ashamed of himself. The minister should answer the question now. Does he have some firm recommendations to offer? Surely, if he has been meeting for years and specifically seven months—

The Speaker: The question has been put. Minister?

Hon Mr Curling: I am not ashamed that I do not have the results or the solution today. The problem really is that many times we have quick-fix responses to these problems that never last very long.

The honourable member can see from the throne speech and from the budget that we were able to impress upon the Treasurer (Mr R. F. Nixon) to put forward money and \$10 million will be targeted towards training. That is a result of the 5M committee coming together and putting forward a strategy.

I am not at all ashamed we do not have the answer today. I am convinced that as a result of the way we are going and the consultation we are having, we will have some good results and some good response to the problems we have.

TIRE TAX

Mr Daigeler: My question is to the Treasurer. There was some great news in the Treasurer's recent budget. At the same time, there were some steps that are a little bit more difficult to take and one of them is the new tire tax. As the minister knows, concerns have been expressed in the Ottawa area and other regions of the province

that have easy access to other provinces. First, these business people are unclear about the purpose of this new tax. Second, they are concerned about a possible loss of customers to the neighbouring province or country.

For the benefit of the people of Ontario, can the minister restate the main objective of the new tire tax and can he address the special problem of border-town business people?

Hon R. F. Nixon: I thank the honourable member for giving me notice of the question. I consider it an important one. I believe the honourable member is aware there are now 18 million discarded tires lying around in stockpiles or distributed in farmers' fields at the present time, and these are increasing in number at the rate of between eight and nine million a year.

They cannot be put into landfill. They cannot be burned. The Minister of the Environment (Mr Bradley) is undertaking research in conjunction with many individuals in private enterprise who are coming up with answers that have to be financed. The leadership that is coming from the Ministry of the Environment is going to assist us in solving that problem.

I do not want to say the revenue from the tax is earmarked, but it will form part of the support that has enabled me to announce an increase in the environmental budget of 16 per cent this year, which is directed towards assisting in the solution of that problem and many other environmental problems.

The honourable member had a second part to his original question, whether or not he has a supplementary. He indicated some difficulty with the competition across the border with Quebec. I can tell the honourable member that in many products, wherever our sales are in competition near a border, there are these problems. I should point out that the sales tax in Quebec is nine per cent and it is only eight per cent here, but there are other things that really mean that on both sides of the border there are these problems.

Mr Daigeler: I thank the Treasurer very much. I think the information regarding the main purpose of this tax will be especially useful because it is information that—

Interjections.

The Speaker: Order. Once again you are wasting the time. I am glad to wait but I know other members want to ask questions.

Mr Daigeler: I would like to ask the Treasurer about the tires that actually fall under this new tire tax. Apparently, this includes tires for

wheelbarrows, lawn tractors and Rototillers. It would appear to me that a \$5 levy on these kinds of tires seems rather steep, given the low purchase price of the tires themselves. May I ask whether the minister is prepared to exclude gardening equipment, as he has already done with bicycle tires, farm equipment and production machinery?

Hon R. F. Nixon: I can say that I agree with the honourable member and that I am prepared to ask the Minister of Revenue (Mr Grandmaitre) to bring forward an amendment that would accomplish those changes.

Personally, I feel the tax is aimed at tires for cars and trucks. Also, it is designed to provide the kind of financing we need to control the problem. So I appreciate the honourable member raising the important matter here and I hope that when the House comes to deal with it, it can be dealt with along the lines the honourable member suggests.

CONDUCT OF CABINET MINISTERS

Mr Allen: I have a question for my colleague the member for Hamilton Centre, the Minister of Culture and Communications. I want to frame this question in as personal a way as I can, because I have had considerable respect for her as a politician.

Clearly it is going to be a long time for the investigation that is going to look into the events that have been swirling around her over the last few days. Nevertheless, the principal facts are clear: There are illegal election donations by charitable organizations with which she has done a good deal of business; donations in excess of legal limits; the laundering of donations to hide their illegality; she herself recommended her own mother for a contract with an organization with which she does a good deal of business.

Surely she must recognize that her ability to function without suspicion as a minister is seriously compromised by that series of events, regardless of how the details may work themselves out in the end.

The Speaker: The question?

Mr Allen: I want to appeal to her personally as a colleague from Hamilton. Does she not see that her own integrity and the standards of conduct of a minister of this government would be best affirmed by her accepting responsibility at this point in time and accepting resignation while the rest of those details are worked out? Is that not better and more honourable and neater for her than stonewalling the issues?

The Speaker: Order. The question has been asked.

Hon Ms Oddie Munro: To the member, I would like to return the respect. I understand where he is coming from.

I do not believe my integrity is compromised and I am awaiting any word from the Conflict of Interest Commissioner as to whether he feels a conflict of interest does apply, notwithstanding the technicalities that were brought up by the member's leader. I do not believe my position as minister is compromised. As I said to the leader of the third party, I have listened to the member's statement.

Interjections.

The Speaker: Order.

Mr Mackenzie: Is the minister not aware that a previous minister in Hamilton, one John Munro, in his letter of resignation when he got involved in a situation—

Interjections.

The Speaker: Order. I have listened to many of the questions over the last few days and I have tried to be as fair as possible and allow questions of many ministers. I would just like to remind all members that the traditions of Parliament here and in many other countries are that questions should relate to ministerial responsibility. I hope members will keep that in mind.

Mr Mackenzie: Exactly.

A previous Hamilton minister who got into trouble, John Munro, said in his resignation letter: "The call was made and with the best of intentions and indeed my conscience is clear. However, in the circumstances, I have no choice but to submit my resignation as Minister of Labour."

Does the minister not think the examples that have been set in the case of George Kerr and John Munro in the Hamilton area, who recognized the perception as well as the fact of acceptable standards and resigned quickly, would have been a much better approach for her to take rather than continuing to lower the standards of this government?

Interjections.

The Speaker: Order. I think it is time for all members to pause.

Hon Ms Oddie Munro: I thank the member for the question. I return the respect to the member also.

I cannot compare the reasons for resignation of any minister. If the member wants to ask me a question, he should do so.

CANCER TREATMENT

Mr Eves: I have a question of the Minister of Health. I have a memorandum in front of me from the Ontario Cancer Treatment and Research Foundation dated yesterday, 13 June 1989. It was addressed to all the centre directors for the foundation and it was from Dr A. E. Clarke. The subject matter is radiation shortfall. I will read it. It is very brief.

"Following our meeting, detailed investigation shows that Kingston and Ottawa can only accommodate 200 of the anticipated 700 patients requiring radiotherapy by the end of the year. Is there any other way of absorbing these patients? Should consideration be given to not treating certain sites, e.g., asymptomatic lung cancer of a specified type? Please reply as soon as possible, in view of the board meeting on June 14," which is today.

Is the minister aware of the memorandum, and what is her ministry doing about it?

Hon Mrs Caplan: I am not aware of the specific memorandum the member addresses, but in fact Dr Clarke has been appointed cancer program co-ordinator for the Ministry of Health. As the member knows, cancer care has been identified as one of our specialty care and priority areas in the ministry. I am pleased to know that Dr Aileen Clarke is active in communicating with all of those providing cancer care in the province to determine that we have the kind of program that will respond to meeting the real and changing needs of people with cancer in this province.

Mr Eves: This is a very serious problem. The problem arises, as I am sure the minister is aware, because of the need to close down, from lack of staffing, two out of 10 radiation machines at Princess Margaret Hospital here in Toronto which do a great deal of radiation treatment for people from all over Ontario.

I would like to quote to the minister from another letter, dated 18 May 1989, from Dr Corringham at the northeastern Ontario oncology program to Dr. Carlow here at Princess Margaret. It says, "I understand this reduction in available machine therapy time is planned to reduce the number of treatments given in 1989 to 57,600 from 75,000 in 1988, a reduction of 17,400 treatments a year."

He goes on to say that he understands it is their intent to reduce potentially curative, radical radiation by 125 in the next six months, the number of patients received for palliative radiation by 3,300 and that the waiting time is now up to six weeks or more—

The Speaker: The question?

Mr Eves: —and that people who have potentially curable cancer are now becoming incurable—

The Speaker: If the member cannot place the question—

Mr Eves: What is the minister doing about this very serious problem? Yesterday—

The Speaker: Order, order.

Hon Mrs Caplan: In fact, I can say to the member that, as I mentioned, cancer care has been identified as one of the priority areas for the ministry as part of our specialty care action plan. The appointment of Dr Aileen Clarke as our cancer care co-ordinator is a significant step in addressing many of the issues in cancer care around the province so that our vision of equity and access to effective, quality care is significant.

I can say to the him that, in fact, we have already made a \$16.8-million announcement for the final phase of construction for radiation therapy equipment at the Northeastern Regional Cancer Centre. I can tell him that significant resources have been made available—\$1 million for our cancer research centre in Sudbury.

As well, I can tell him that the Princess Margaret Hospital has doubled the number in its radiation therapy training program, which is the program in Ontario. Seventeen are expected to be certified this year and an additional 30 in 1990. We are also stepping up its overseas recruitment program, as well as developing a work plan so that we can, as we plan to meet the needs for the future, determine that we not only have the resources available in dollar terms but in human resources, as well. I can say to him that we are actively planning to meet the ongoing and changing needs of the people of the province, not only in cancer prevention but also in cancer treatment.

ACID RAIN

Mr Fleet: I have a question for the Minister of the Environment. Earlier this week, President Bush announced a program to reduce acid rain emissions in the United States. I believe the target he set was in the order of 10 million tons by 2000.

The reality is that in Ontario, approximately half of all the acid rain deposition that falls on us is from the United States. Of course, it affects virtually every single person in Ontario, as well as agriculture, buildings and industries. The Countdown Acid Rain program that was an-

nounced by this government involves cutting emissions on our side by some 60 per cent by 1994.

I am wondering if the minister could inform the House how the President's proposal is going to have an impact on this province.

Hon Mr Bradley: First of all, we do not have the intricate details of the program yet, but certainly the ballpark figure of 10 million tons being reduced is a very positive step forward if Congress actually enacts this legislation and provides some items in it that could be of some improvement.

What we are concerned about as a province, and I think this is shared by other provinces as well, is the provision for the trading of pollution credits, which is allowed in the program within states in the first five years, I understand, and in the second portion of the program between states. We think that could have a detrimental effect on Ontario in the second half, potentially, if they are allowed to trade credits to California, for instance, the west coast or Florida or something of that nature, in which it would not have a positive effect on Ontario, specifically, for instance, in the Muskoka area.

1500

We think we have to analyse that very carefully. I hope that does not prevent the kind of cuts we need here in Ontario. Many of us have gone to the United States, and others will remember the early days of going to the United States, in an attempt to persuade them. If this can be built upon and improved upon in Congress, I think it is very positive.

Mr Fleet: I have a supplementary question. I am pleased to hear about some of the positive aspects. I am concerned that there may still be some weaknesses in the proposal of President Bush. As I understand the Ontario program to cut down on acid rain, there is a permanent cap on emissions that originate in this province regardless of the growth of industry or the economy in general.

I am wondering whether the minister can tell us, to the extent that we are aware of the current proposal in the United States, whether there is a similar cap that would be applicable. If there is not such a cap on American industries and sources, then how might we persuade the Americans to include that kind of protective provision in their legislation?

Hon Mr Bradley: My understanding is that there is not a full, permanent cap, but the opportunity will be there for members of

Congress, on both the House and the Senate sides, when the legislation actually proceeds through the House, to put a permanent cap on. We think that is essential because if you simply look at the existing sources within the United States and cap those existing sources, and you allow for growth of sources as a result of economic and industrial growth, then you have not made the kind of gains I think are necessary.

I am hopeful that people who have been strong advocates of acid rain abatement legislation in the US Congress will add that provision, which would be beneficial not only to those of us in Canada but certainly to those in the United States who are also impacted by acid rain.

PETITIONS

HOME CARE/ TEACHERS' SUPERANNUATION

Mr M. C. Ray: I have two petitions: one with 295 signatures, addressed to the Honourable the Lieutenant Governor and the Legislative Assembly, petitioning for increased funding for the Victorian Order of Nurses; the other with approximately 10 signatures, dealing with Teachers' Superannuation Act amendments. I have affixed my signature to both.

NATUROPATHY

Mrs Grier: I have a petition addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario which calls upon the government to introduce legislation "that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

TEACHERS' SUPERANNUATION

Mr Epp: I have a petition addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario. It deals with the Teachers' Superannuation Act and the pension fund. It is signed by 12 people from my constituency.

Mr Reycraft: I have two petitions related to the Teachers' Superannuation Act. One is signed by 10 constituents from the riding of Wentworth North, and the other by 13 constituents from Scarborough East.

NATUROPATHY

Mr Reycraft: I also have a petition related to the practice of naturopathy, signed by 10 constituents from the riding of Oakwood and a fourth signed by 21 constituents from Oriole

related to freedom of choice with respect to health care services.

FRENCH-LANGUAGE SERVICES

Mr Brown: I have two petitions to the Lieutenant Governor and the Legislative Assembly of Ontario. They are with regard to French-language services, and call for the government not to proceed with the implementation. I do not agree with these petitions, but I have affixed my signature.

WORKERS' COMPENSATION

Mr Kormos: I have a petition addressed:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario:

"Whereas Bill 162 (a) does nothing to improve lifetime pensions (especially for disease and soft-tissue injuries); (b) denies injured workers the right to rehabilitation; (c) offers re-employment rights that are less than afforded by the human rights act; (d) gives too much discretionary power to the Workers' Compensation Board to deny injured workers benefits; (e) restricts injured workers the right to appeal;

"We request this assembly to advise the Labour minister, the Honourable Gregory Sorbara, to withdraw said Bill 162, An Act to amend the Workers' Compensation Act."

It is signed by Carey Harfst along with nine others, and I, of course, have put my signature on it as well.

TEACHERS' SUPERANNUATION

Miss Nicholas: I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario, and it deals with amendments to the Teachers' Superannuation Act. Not many are from my riding but some are. There are a great number of signatures, and I affixed my signature to it as well.

REPORT BY COMMITTEE

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr Furlong from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bill without amendment:

Bill Pr9, An Act respecting the City of Windsor.

Your committee recommends that Bill Pr11, An Act respecting the city of Windsor, be not reported.

Motion agreed to.

ORDERS OF THE DAY

POWER CORPORATION AMENDMENT ACT, 1989 (continued)

Resuming the adjourned debate on the motion for second reading of Bill 204, An Act to amend the Power Corporation Act.

Mr Cureatz: It is with a great deal of pleasure that I have the opportunity to once again participate on Bill 204. I am so pleased that the chairman of the—

Hon Mr Conway: I will be back.

Mr Cureatz: Tell the member for Carleton (Mr Sterling) to just hustle in here and the member will not have to listen to me to prolong the agony.

[Applause]

Mr Cureatz: One of the few times I am met with a round of applause.

I am so pleased that the former chairman of the select committee on energy is in attendance. Of course, I had indicated to the Minister of Energy (Mr Wong) in my opening remarks yesterday—

Interjection.

Mr Cureatz: Vince Borg complains about my tie. I wonder if he thinks it is long enough today, if he is watching on TV. He wants me to wear makeup. I will not go with the makeup, but I can adjust the tie. The member for Scarborough Centre (Miss Nicholas) is coming to adjust my tie.

Let me see, my opening remark about the bill, if I can just find it—just be patient—was that among other things we were most appreciative of the Liberal member for Oakville South (Mr Carrothers), who headed up the select committee on energy. In my own humble estimation, I think he did an admirable job.

[Applause]

Mr Cureatz: Scattered applause. If there was one fault, I say to him if he is listening to me, it was that he extended the committee day a little too long—from about 10 in the morning, sometimes 9, until 6.

Mr Carrothers: The taxpayers got their money's worth.

Mr Cureatz: They sure did. But the problem is that when one is sitting on the committee it becomes a little tedious to try to assimilate all the

information that is coming forth. All I want to say—

Miss Nicholas: Assimilate?

Mr Cureatz: If the member for Scarborough Centre were to sit in her own seat and heckle me, that is one thing, but for her to have the audacity to sit there and natter away not in her own seat—I know the Speaker, under standing order 24(b), is very upset about that and will reprimand her very shortly.

The Deputy Speaker: Interjections are never in order, no matter which seat the member is sitting in, may I add. Only the member for Durham East has the floor; therefore, he may be the only one to proceed.

1510

Mr Cureatz: Thank you very much, Mr Speaker. I know that at 3:10 in the afternoon so many people at home are watching this enthusiastic debate and we have scattered applause here with some guests in the gallery. We have one or two looking down here. I hope they do not drop anything. I was here once on the nickel debate and people threw down nickels from cans. I happened to be sitting on the back bench way over there where the minister was sitting and got hit on the head with nickels. I hope we do not have the same thing today.

I say to the chairman of the select committee on energy, “Don’t prolong those committee hearings,” because I have a sneaking suspicion that we are going to come to some satisfactory resolution to Bill 204 in the process we are involved with. We will hopefully get it to committee, about which I want to mention a thought or two in a moment.

I did miss out yesterday a compliment that I wanted to give to the minister. I indicated how lucky he was, being a new elected member, to be suddenly put into the position of power of holding a very important portfolio in Ontario in terms of supplying energy to the residents of this fine province.

I failed to do what I want to do now—and I know that the present Speaker will allow me to deviate for a moment or two from Bill 204—to compliment the minister and, yes indeed, the government of Ontario on the newly appointed deputy minister, Tom Sosa, who has taken up his position just in the last five or six weeks. I did not have the opportunity of bringing that to the attention of the minister or the government.

I know we are into some pretty heavy times here during question period, but listen, I like giving credit where credit is due. I think the

appointment of the minister’s deputy is very innovative. It shows an indication that sometimes we in opposition, with the goings-on that we see recently, get blinders on and think in terms of politics, that everything is politically oriented.

But I feel comfortable in terms of Mr Sosa’s appointment. Looking at his educational background, I think his credentials are exemplary. He certainly has shown through the past number of years in education at Ryerson Polytechnical Institute his ability to work with people. My interest was more in relation to his, I believe, appointment, as a layperson, as a bencher in the Law Society of Upper Canada.

If there is one group of people who are difficult at the best of times to work along with—and the Treasurer (Mr R. F. Nixon) will remind us—it is the barristers and solicitors of Ontario. My understanding is that Mr Sosa had worked along with the former treasurer and now lifetime bencher, Laura Legge of the firm Legge and Legge here in Toronto.

We are looking forward to Mr Sosa’s introduction to the ministry and indicate that we are confident with these kinds of, as I can see, nonpartisan appointments. It does actually put a good stamp that we have not seen lately on the government in certain areas.

We are hoping that the minister will work along with his deputy. Having had the opportunity of working with Jim Taylor, former Minister of Energy and member for Prince Edward-Lennox—he gave the famous speech about being mugged in the corridors of power, referring specifically to, I think, his deputy minister at the time and various underlings under him—I am confident we will not encounter that kind of association between our present minister and the deputy minister. We give credit to the government for Tom Sosa’s appointment, because ministers come and go and deputy ministers always seem to hang on for ever and ever. I am sure he will make his mark within that portfolio.

As I indicated under my comments yesterday afternoon, to refresh the minister’s memory, we had taken a tour of the various select committees that had sat in Ontario. More particularly, we had not had the opportunity of centring in on the last committee’s sittings.

For a moment, as I bide my time, I want to bring to the minister’s attention one or two aspects of the committee’s report that I know my friend and colleague the member for Hamilton Mountain (Mr Charlton) had indicated. To refresh the minister’s memory, of course, the

whole concern I think we had, notwithstanding that my colleague the New Democratic Party critic and I had indicated that we are supporting the bill, is that we are most interested for the legislation to go to committee. We are interested in maybe a three-week span.

I know the select committee on energy is not officially sitting, but my understanding through my past experience of being Deputy Speaker is that anything can happen in this place if we have all-party agreement. I feel confident that the House leader for the government, our own House leader and the NDP House leader can come to a mutually satisfactory arrangement so that at some appropriate time the select committee on energy would be able to sit, even though it is not at the moment in Orders and Notices.

That being in mind, what do we do about the immediate problem? I think there is a possibility that the bill could carry on, possibly to the standing committee on resources development, and then maybe off into the select committee on energy at such time as this House can make such arrangements.

That is all well and good, but I sort of have the feeling that this should be a two-phase committee meeting. My friend and colleague the member for Hamilton Mountain indicated about Bill 204—and I see my friend and colleague the member for Chatham-Kent (Mr Bossy) is looking with great interest. The reason he is doing that is that he and I had the opportunity of participating in a very interesting meeting concerning the affairs of the province, along with the member for Nickel Belt (Mr Laughren) and my colleague and almost-friend the member for London North (Mrs Cunningham).

During those discussions of concerns that we had for the people of Ontario, I think the member for Chatham-Kent got an appreciation of some of the various aspects that I have about Bill 204 and the direction this present government is taking in terms of energy. I know the member, who is more partial to baseball than he is to electricity being produced by Ontario Hydro, was not too enthusiastic about my concerns.

I do not particularly blame him because my friend and colleague the member for London North was not either, as indicated by the fact that she is just about to leave in the middle of my speech. But I know she will be going to her office and tuning in directly so that she can listen verbatim to the thoughts and concerns that I have about this particular bill.

As I indicated to the minister, I think my colleague and friend the member for Hamilton

Mountain indicated that there are three areas, generally speaking. One is the bill and the third area is the government intervention. Oh yes, the second area was the Ontario Energy Board and its areas of parameters that are not covered by the bill.

Of course, my friend the member for Hamilton Mountain has that kind of concern because he brought in a private member's bill. I think he said when. Let me see. This is the spring; it must have been last fall. I had the opportunity at that time of debating the bill in the Legislature and discussing it with caucus, and of course we all know how supportive my caucus is of the official opposition, especially since 1985, when the NDP decided to support the Liberals in minority government and not ourselves.

But with great enthusiasm and vigour I was able to convince my caucus to support the honourable member for Hamilton Mountain on his proposed amendment to restructure the Ontario Energy Board. That is the second phase he indicated that is missing in terms of this three-phase proposal and the third phase, which I am sympathetic about, goes back to the government intervention.

What are we going to see that is coming forward from the bill in terms of government policy? I have a sneaking suspicion that this bill is not overly supported by those who are housed over in the southwest corner of College Street and University Avenue, those in the Ontario Hydro building—who, by the way, have a lovely view as you get up to the top floors—because it certainly, we think, is going to cramp their style in terms of decision-making.

Lo and behold, after all these years of rattling along with people like Julian Reed, who was the Energy critic for the Liberal Party a long time ago now, who indicated that Ontario Hydro was out of control, the government at that time was not getting a handle on it, I suppose this is the big piece of legislation, Bill 204, An Act to amend the Power Corporation Act, where at long last we are going to see that the government is attempting to get the necessary power, through this legislation, to give specific policy direction to Ontario Hydro.

Do any members think for one moment—

Mr Pouliot: Question, Mr Speaker.

The Deputy Speaker: No.

Mr Cureatz: Does the member for Lake Nipigon (Mr Pouliot), I wonder, for one moment think that Ontario Hydro is going to be supportive of this kind of legislation? I know in the response to the debate he will be more than

pleased to indicate what he thinks about whether Ontario Hydro is going to be supportive of this kind of legislation.

Then there is my good friend and colleague the member for Sault Ste Marie (Mr Morin-Strom), who came into the Legislature in 1975. He defeated a great and wonderful member, a former Minister of Labour, a colleague of mine, one of my first seatmates, as a matter of fact. For that matter, does the member for Durham Centre (Mr Furlong) wonder for a moment what Ontario Hydro thinks about the bill?

I can see with the hush that has ascended over the chamber that they all know what Ontario Hydro thinks about the bill. I do not think Ontario Hydro is particularly supportive of the legislation, because there is an intrusion into what Ontario Hydro has had for a long time, probably a pretty strong monopoly on decision-making processes in terms of producing electricity in Ontario.

Mr Pouliot: Where are all your distinguished colleagues?

The Deputy Speaker: Order, please. One member at a time, please.

Mr Cureatz: I want to say, Mr Speaker, that my friend and colleague the member for Lake Nipigon is extremely concerned about the process that is taking place here in the assembly. It will not fall on my head but, sir, I am concerned that there is not a quorum.

The Deputy Speaker ordered the bells rung.

1523

The Deputy Speaker: A quorum is now present. The member for Durham East may proceed.

Hon Mr Kerrio: Oh no, Sam, we came back for this.

Mr Cureatz: Oh no, I say to the Minister of Natural Resources, who berated me yesterday about energy problems, that he is the one who probably caused some of these because he held the two portfolios at that time back under minority government. I say to all the Liberal backbenchers that they should have seen the Minister of Natural Resources in those days gone by. He really whacked away at the members of the then third party, now the official opposition, and called them all kinds—

Interjections.

The Deputy Speaker: Order. Only the member for Durham East has the floor. The interjections are uncalled for and against the standing orders.

Mr Cureatz: I appreciate that very much. I can only speak on behalf of all my colleagues and feel very confident in saying that they are only trying to give me assistance, but it is not needed under the circumstances because I think I am doing fine as I am.

I do apologize for having to call the quorum bells, but of course I wanted to call the quorum bells only because the nasty House leader of this great big arrogant Liberal government has brought forward legislation that is going to change the rules, and no doubt under those rule changes he is proposing to do away with quorum calls. He does not want to take the responsibility that he has of running the government of Ontario.

While we still have the standing rules, I wanted to make sure that I would be allowed to make my quorum call, not like the member for Muskoka-Georgian Bay (Mr Black), who was in fact criticizing the opportunity of all of us reading petitions and, lo and behold, he stands up and reads a petition. I reminded him that he had better get going in reading it because by the time this nasty government has finished the democracy will be gone.

The Deputy Speaker: Order.

Mr Cureatz: We will be gagged here in the Parliament of Ontario and will not have the opportunity of reading petitions or making quorum calls.

I know the Speaker wants to know what this has to do with Bill 204. Let me just work it in. Under the present rules of procedure, all of us have the opportunity of participating in debates on legislation. As the present rules allow us to do so, I am going to take the full opportunity of doing that because I know what is going to happen. Even that opportunity that I have now will no doubt be taken away, because the government just thinks it can go change the rules willy-nilly.

The member for Durham Centre does not understand that; the member for Mississauga North (Mr Offer) does not understand that. They have no appreciation of the parliamentary heritage that we have around here. They get in the back benches—as I said the other day, the back benches are unbelievable.

The then Solicitor General, the member for London South (Mrs E. J. Smith) resigned, and the front four of the apocalypse over there, the government House leader, the member for Renfrew North (Mr Conway), the Attorney General (Mr Scott), the Treasurer and the Premier (Mr Peterson), looked over the great big list. For all the people at home, we should have a

close-up here on the television. These are all Liberals over here, and there are more. It is called the Liberal rump.

Those four guys could not find one person, not one person, good enough to fill the shoes of the former Solicitor General. Now, how does that make all the 64 backbenchers feel? There are a lot of lawyers in there. It is a good thing that the Minister of Energy is way back in the back bench over there in discussion of Bill 204; otherwise, he might have wound up being the Solicitor General. We know that he had to concentrate—

The Deputy Speaker: Order, please. Can I ask the member what this has to do with Bill 204?

Mr Cureatz: I was straying just a little, but when I saw the government House leader, the hair on the back of my neck rose and I was so upset about the process that is taking place here, I did get carried away.

The Deputy Speaker: My hair rises when you stray off topic.

Mr Cureatz: Having the fullest respect for you, Mr Deputy Speaker, having the opportunity I once did many, many years ago to sit in the esteemed position that you have, I will now do my utmost best to turn my attention back to the legislation at hand.

I indicated to the minister that we feel very comfortable that there will no doubt be an agreement in terms of how this legislation will unfold in the fullness of time. Of course, there was some manoeuvring. The government wanted an automatic vote on this to carry it forward.

Mr Furlong: You like this process, though. You like to waste time.

Mr Cureatz: I can only remind the member for Durham Centre—albeit he was elected in a Liberal landslide and, happily enough, with the good support of the people in Durham East, I was able to withstand the onslaught—that we humble people in the opposition have one or two concerns. After all, we are the opposition; we have been elected. This is not New Brunswick. The Liberals do not have all the seats here, although I bet they wish they had.

Mr Furlong: Not yet.

Mr Cureatz: “Not yet,” the member says. Wait and see after the next election. There is no way that this Liberal government is going to come back with 95 seats. That I can guarantee the member.

All the Liberal backbenchers had better be looking after their own seats. One way they can be looking after them is worrying about Bill 204, because under Bill 204 there is an attempt to

instigate a policy direction by the Liberal government.

I give credit to my colleague the member for Hamilton Mountain, who spoke before I did. He came very close to the concerns. As I have said before, the bill has lots to say and it has nothing to say. It has lots to say about the fact that the government is going to be intervening but it does not say anything about how the government is going to be intervening.

Interjections.

The Deputy Speaker: Order, please.

Mr Cureatz: The Speaker, no doubt, is concerned about what the follow-through on this is. Here is the concern.

Over the last couple of years we have had the select committee on energy. As those committees have unfolded, as I indicated yesterday, I only read half of the reports. Of course, if I get really enthusiastic and I hear the clamour of more of my colleagues, I can continue and read the rest of the reports, although I specifically want to get into the more recent report that I did all that homework on anyway. I might as well at least take a little whack at it.

The point of the matter is that, with the investigation, and if we get the select committee on energy structured again, which I have every confidence that we will, where do we go from there? I have asked the Minister of Energy his concerns about supplying the electrical needs of the people of Ontario. To date, I have not got too much of a response. Lo and behold it was like manna from heaven. I can only say that he indicated to me that the manner in which the problem is going to be resolved, in looking to evaluate whether, where and when we need another major electrical plant, will be some time in the fall when Ontario Hydro comes forward with its demand-supply option.

1530

I say to the minister that is not going to be the be-all and end-all, because it is going to be very confusing. There is going to be no crystal ball, although in gratitude to Ontario Hydro, being the critic for the Ministry of Energy, I want to say I had the opportunity this morning of attending the research facilities of Ontario Hydro, whose little booklet I am sure is close by and members are all awaiting with great anticipation. I have this one, a colouring and activity booklet, ZAP, the Friendly Safety Bird. I am going to take that home for one of my children. I know they will enjoy colouring that in. Oh, here it is, lo and behold.

It is this kind of approach Ontario Hydro takes that maybe the minister is going to be concerned about under Bill 204, although I somehow doubt it.

For instance, they had an open house on 13, 14 and 15 June over at the research centre. Goodness knows, I could take the next hour to go over it. They had 43 centres at the research centre. I got there about 10 o'clock and ran around for two hours just to get a little synopsis of the various research aspects. Ontario Hydro—holly smokes, talk about information—just piles it on. Your head starts to ache.

The only really good part was this acoustics room they have. Members really would have loved this and no doubt will have a free vote to put me into the acoustics room. This acoustics room is a small room. It is totally insulated and on springs. It is the quietest room in the country next to the research room the National Research Council of Canada has in Ottawa, I guess for the federal politicians if they want to go in there. That is very interesting. The room is so quiet that when one goes in there it is noisy. Members have to think about that. I invite all members to call Ontario Hydro to go in the acoustics room.

The point of the matter is that the minister is going to have a very difficult time in terms of trying to get those policy directions to Ontario Hydro, because it has a volume of information.

Did the Minister of Natural Resources (Mr Kerrio), who held two portfolios back in those days, as Minister of Natural Resources and Minister of Energy, ever visit the research centre on Kipling?

Hon Mr Kerrio: I was everywhere.

Mr Cureatz: He has done everything. I will speak to his lovely wife, Rose, to see whether he has done everything. That is a matter for debate at another time.

I say to the now Minister of Energy that he should be talking to the Minister of Natural Resources, who has held the portfolio before, and that is the one problem with Hydro. Sitting on the select committee on energy, the problem the minister is going to have under Bill 204 is directing the policy, because Hydro has been there for a long time, since Sir Adam Beck. There is a history of the institution that goes back a long way, and in the late 1970s and early 1980s there was beginning to be another interest in the institution. I guess that interest is reflected in what we are seeing here in the legislation.

By the same token, as voluminous as the information by Ontario Hydro was at the research centre, I will say this for it. I mean, it is operating

I suppose one of the biggest industries, if not the biggest industry, in Ontario. What could be bigger? I do not know: General Motors, Inco or Dofasco? I do not think so. When one thinks of the billions of dollars that have been spent on our generating facilities and the number of people that are working, it is a world unto itself.

Knowing the kinds of technical material they have at their disposal, and being a representative for the riding of Durham East where one of the world's largest nuclear stations is being built, I have the concern, as has everyone, that we cannot afford any kind of accident whatsoever at any of our plants.

When I was walking around the research centre, they gave me so much information that I have to say one does feel comfortable with the kind of depth Hydro goes into in terms of the various aspects of the production of electricity. I left with the gut feeling that they do have things under control.

Maybe that goes back to narrowness, though, because their mandate has always consistently been the production of electricity at the lowest cost possible. Maybe they have not centred in on some of those other areas like cogeneration or conservation. That is what Bill 204 is all about, is it not, I say to the minister?

As a result, I want to say that if are able to get this into the select committee on energy, which I suspect we will be able to—I give credit to the minister and thank him if he gave us support to carry on that way. Hopefully, it will be the member for Oakville South who will be chairing it again. He certainly has a good tradition of doing an admirable job.

I do not think we should stop there. I am not suggesting the committee should continue on for the summertime. I say to the member for Brampton South (Mr Callahan) that he has been around now for a while, so he has learned a few tricks of the trade. Regarding the select committee on energy, if we do not continue to sit throughout the summer, we can make it two to three weeks on this particular Bill 204.

Hydro is going to come out with its demand-supply option. I know the people at home and our own party whip probably do not get too excited about electricity. You stagger into your office and turn on the switch and on go the lights. You turn on television at night to watch the news and see what is going on. But I will tell members that the time when people are going to get concerned is when we do not have enough electricity. I want to say to the minister that I do not think he is

particularly bringing his attention to that focus. He is not going to pull any tricks on me.

The member for Oxford (Mr Tatham) had a question. I have the question here. The question was—I am searching; let me see. No, that is on the bird bill; that is tomorrow. The question is in my folder. If members are really keen, I could dig it out. Questions, questions. In any event, the member was really being cute. It was a staged question. He had asked the minister about feeling comfortable. "Through conservation, are you going to conserve"—I think it was 5,000 megawatts. The minister stood up and said by rote, "Oh yes, but you know, we have to break it down and we're going to conserve it through this and we're going to conserve it through that." It was a nice little setup question. He is not going to fool anybody with that one.

I say to the minister that when Ontario Hydro comes out with its demand-supply option this fall, it is still going to be very unclear about the manner in which the government is going to decide how we are going to produce the required electricity in Ontario. I am strongly urging the minister—I have every confidence to believe that my friend and colleague the member for Hamilton Mountain, his colleague the member for Etobicoke-Lakeshore (Mrs Grier), myself and possibly the member for Leeds-Grenville (Mr Runciman), if he is on the committee, will be supportive of the continuation of the select committee on energy some time in January, February, or March 1990 so that we can take a look at what Ontario Hydro is going to propose under the demand-supply study option.

I say to the minister that when he gets it on his desk, it is not going to be the be-all and end-all. It would not hurt one bit for his former chairman of the committee to constitute the committee again in those months so we can take an evaluation, an examination of what Ontario Hydro is going to propose for its demand-supply study option.

Do you know what? I am going to look into the future. I think we should examine it, but I bet it is going to say that we are going to need another plant. Of course, we all know what those people in the government are going to do. They are going to try to postpone that plant until after the election because they know the only kind of plant they can build is nuclear. But we will wait and see. I say to the minister that we should reconstitute the committee in January or February 1990 so we can take a look at the demand-supply option of Ontario Hydro.

As I said to him at the termination of my remarks yesterday and as I say at the termination

of my remarks today, notwithstanding some of my thoughts and concerns, we are supportive of the legislation. I think at this time—no, I am not going to adjourn the debate; I am just going to sit down.

The Deputy Speaker: Would members have questions and comments on the member's statement?

Mr Black: I have a comment. I want to first of all thank the member for Durham East for his comments. It is not that we agree with all of them, but he does serve to provide us with entertainment and relaxation here in the House. I thought yesterday I was going to have the opportunity to get up and thank him for making his speech because there were no other members of his party present in the House to do that. At the beginning of today's speech, there was no one here from his party who might have done that. I will not have to do that now because two other members have come in, but I do want to say to the member for Durham East we appreciate the entertainment.

1540

Mr Pouliot: With the highest of respect for the member for Muskoka, I cannot sit idly by when we have been the recipients, collectively and individually, to a member, of words of wisdom and a good deal of knowledge indeed that is pertinent about Bill 204. The member spoke. He did not ride the puck. He did not entertain. He spoke from the heart about a matter that demands a great deal of expertise, and to be labelled "entertaining" does not even begin to give him justice. He is a person of colour.

Ms Collins: A character.

Mr Pouliot: No, no, he portrays things. He simplifies what is indeed a complicated matter and he should be commended so that the members of this House will hang on every word and will begin to understand the flaws that are associated with what is being proposed here. He did it better than anyone, collectively with our distinguished representative, our critic on Ontario Hydro matters, not an easy subject.

What is regrettable indeed and should have been mentioned by the member for Muskoka is that the Minister of Energy was left like the proverbial soldier at his post and we had to call for a quorum. He was by himself when he should have been supported by the spear carriers that are 94 members out of 130.

The people of Ontario are watching and are aware of what has been said by the two critics and they do indeed join me in offering sympathy to

the Minister of Energy, for he was by himself. We appreciate the courtesy, the compliment he paid us of listening so patiently to the proper alternatives being proposed by the opposition.

Mr Black: On a point of order, Mr Speaker: I appreciate the opportunity to raise the issue of both the member for Durham East (Mr Cureatz) and the member for Lake Nipigon, who failed to recognize that for the past 20 months this position—

The Deputy Speaker: That is not a point of order.

Mr Black: I just want to point out that I am the representative for Muskoka-Georgian Bay. The many thousands of people who live in the Georgian Bay part of my riding would appreciate the recognition from all—

The Deputy Speaker: Order. Thank you for the point of information.

Mr Callahan: I want to join in the debate and agree with the member for Lake Nipigon. The member for Durham East surely does have colour, and I think it is not blue; I think it is red. In addition to that, I want to say one thing. His entire speech was electrifying.

The Deputy Speaker: Any other words of wisdom from members?

Mr Sterling: I want to respond to the member for Muskoka-Georgian Bay, who seems not to understand that the opposition parties, with 17 and 19 members respectively, have many, many responsibilities, not only in this Legislature but outside this Legislature, to tell the people of Ontario how badly they are being served by the present government.

It is not possible for us to be in the Legislature at all times. Therefore, in our caucus we have delegated to various people the responsibility of carrying the debate in the Legislature. I myself, for instance, am supposed to be in another committee this afternoon. Most members of our caucus have to serve on at least two committees. Some serve on three committees.

Even though we are strapped for numbers, I will say this: When we take on a job, we do the job from start to finish, unlike the five Liberal members who attended the standing committee on administration of justice on Monday to hear the clause-by-clause reading of the bill on sheriffs' responsibilities in courthouses. We had five brand-new Liberal members who had not heard public representation come in to do the clause-by-clause section of the bill, a travesty to the system that members of the back bench of the Liberal Party do not seem to understand.

Therefore, I would like to thank the member for Durham East for carrying out his responsibility as delegated to him by our caucus and thank him for his excellent presentation.

The Deputy Speaker: Are there any more questions and comments on the statement of the member for Durham East? If not, would the member wish to respond?

Mr Cureatz: With the two minutes I know are allowed me, far be it from me to let the opportunity pass by without participating in the conclusion of the debate. Of course, what else can I do but heartily agree with the member for Lake Nipigon in terms of his thoughts and concerns that I have; even the member for Brampton, although he still owes me a lunch; I suppose he thinks that is a payment back.

Of course, my friend and colleague is a front-bencher and I sit way back here on the back bench, but notwithstanding that difficulty, we thank the member for Carleton because indeed what all the nasty backbench Liberals have yet to figure out is that we have some tools of the trade around here that are still allowed us and that one of them is in terms of maybe stretching the time out a little bit. If it annoys them, then that is what the job is all about, is it not?

They have been elected to run the province so they have to sit here and run it. What? Do they not want to be in their places? Do they not want to sit there and represent the fine people of their particular ridings? Throughout my various dialogue, I have expressed some concerns, if members examine carefully the comments I have made to the minister about the legislation, that we are running out of electricity. How many guys in the back bench have stood up in the caucus of their party and said: "Mr Minister, by the way, if we run out of electricity, are we going to be in trouble in the next election?"

I bet not one of them stood up and said that, and that would be the biggest issue in the next election if we have a brownout or a blackout on the hottest day of the summer or the coldest day of the winter. That is what I have been trying to say for the last, I think, only three hours.

Hon Mr Conway: Sam, did you take the seagull to your caucus?

Mr Cureatz: If it takes four or five hours to get it through the thick head of the honourable House leader who has the audacity—before it is all through, he is going to bring in the new rules in which his kind of interjection probably will not be allowed, except for government members. I can see the way we are going.

We are looking forward to the continuation of the committee in the new year, 1990.

The Deputy Speaker: Do other members wish to participate in the debate? If not, would the minister wish to wind up?

Hon Mr Wong: I am very pleased to have an opportunity to respond to the comments made by my colleagues, the critics from the two parties, on second reading of Bill 204, An Act to amend the Power Corporation Act.

Let me say that I am also pleased with the support of many of the government members who are here, particularly my colleague the former Minister of Energy, on whose foundation we have built, in part, the amendments and the memorandum of understanding; my parliamentary assistant who in addition to being an engineer was a person who had worked for Ontario Hydro in previous years—his input and advice have also been quite helpful. I am very pleased today to see the member for Oakville South is here, the chairman of the previous select committee on energy.

Let me say that I have appreciated the constructive, thoughtful and sometimes colourful comments from both of my colleagues from the other parties, the member for Hamilton Mountain and the member for Durham East. I want to add that I was very happy to hear them say yesterday and today that both, in representing their parties, were very supportive of this important piece of legislation.

I would also like to refresh all our memories as to how important Bill 204 is, the amendments to the Power Corporation Act. Ontario Hydro, as most members would know, is the largest electricity utility in North America. It is also the largest nonfinancial company in Canada; that is, it is not a bank and it is not a trust company. It is a large corporate entity within Canada with assets of about \$33 billion, with a revenue level of in excess of \$6 billion for the current fiscal year in which we are operating.

Hydro, of course, has a staff of approximately 24,000 people, and when you add the approximately 6,000 people who are completing the Darlington plant that equates to 30,000 people, recognizing that the rest of the government itself has a current figure of about 87,000.

1550

We are dealing with an entity that has had a very profound influence socially, economically and environmentally on this province. In all of Canada we are very lucky and fortunate when it comes to energy and electricity. In Canada we use, for example, 16,000 kilowatt-hours per

capita. In many Third World countries, they use in the order of 400 to 500 kilowatt-hours per capita. So Ontario, as the leading industrial province in Canada, is a big user of electricity. It is important not just to the individual consumer, but to business and also to industry.

What we are trying to do here with this bill is cause Ontario Hydro to be more responsive to government policies and to public concerns and initiatives. As I said yesterday, this legislation package, comprised of amendments and a new memorandum of understanding between Ontario Hydro and the government, is a significant step forward in fulfilling this government's energy policies.

Changes made in this package will help Ontario Hydro carry out the government's top priorities: conservation and energy efficiency. These changes will play an important role in helping this government effectively plan the future of our electricity system in Ontario.

We face a number of challenges in electricity planning, including the question of when and what type of new supply will be needed in the future. I am confident the new policy framework the government has developed will ensure that the decisions we make will be well informed and timely. The new memorandum dictates that Hydro will provide the government with its long-term plans and studies to help ensure this will be the case.

While we do not yet have all the answers on the question of new supply, this government has made a long-term commitment to demand management through conservation and energy efficiency. While we proceed to do our homework on new supply, we will be aggressively pursuing improvements in demand management.

Legislative roadblocks that prevented the utility from offering incentives to its customers to achieve such improvements have been eliminated. Ontario Hydro will be spending \$1.5 billion over the next five years to produce gains in demand management. We have also asked the utility to provide us with targets on conservation and efficiency and on its plans for achieving these targets, so that they may be reviewed and assessed by the government.

I want to assure this House that I have a personal commitment to demand management and that I have noted my critics' suggestions on the subject with great interest.

Parallel or independent generation, another important government priority, has also been addressed by this legislation. Last summer, I received a report from Ontario Hydro that set

1,000 megawatts as a target for independent generation by the year 2000. I told the utility that I believed more could be done, more could be accomplished in this area. I think in fact that we could double that target.

In the very near future, I will be presenting the government's policy statement on parallel generation to this House. This will be the first of a number of policy statements the government will issue to Ontario Hydro that Hydro shall respect.

In addition, this package meets the government's commitment, and my personal commitment as minister, to protect the environment. Hydro has also committed itself to ensuring that its programs are compatible with our environmental goals, including the improvement of air and water quality through lowered harmful emissions.

I believe that this package has improved the utility's accountability and responsiveness to government policies and public priorities.

Yesterday my critics questioned this fact, the question of accountability and how responsive this document was. I can tell them that Hydro is accountable to the government in many ways. First, the government, through the Treasurer of Ontario, controls the purse-strings of the utility. It is through the Treasurer and the cabinet that Ontario Hydro gets the approval to sell the bonds.

Second, the government has control over who is appointed to the board of directors of Ontario Hydro. By controlling the dollars and the people on the board of directors, these are very strong levers indeed. But the question I think the critics were raising, and the government and I were listening, were questions like, "Is this enough to ensure Hydro is responsive to the government?"

When we reviewed the Power Corporation Act, we asked ourselves this question and many related questions. We responded with a number of initiatives. The government now has the authority in Bill 204, when it becomes law, to issue policy statements that the utility shall respect. What that means, as I said yesterday, is that Hydro will leave no stone unturned, in plain English, to carry out the government's policies.

In the new memorandum, an elaborate document, the government's goals are set out clearly. Hydro has committed itself to attain these goals. I will just mention a number of them. They cover the areas of electricity conservation, energy conservation, environmental protection, the role of government in provincial economic development, cost-effective operation of the electricity system, enhanced consultation, public participa-

tion and information-sharing in the development of Hydro's major planning decisions, increased encouragement of renewable energy supplies, disposal of Hydro's surplus lands on a housing-first basis, greater private-sector participation in development and increased involvement of remote and native communities in electricity planning.

I urge all members, if they have not read the memorandum of understanding, to read this document. The memorandum also requires that Hydro provide the government with up-to-date and factual information on a regular basis. This includes Hydro's short-term and long-term plans, which the government will review and comment upon.

Responsiveness will also be assured through the new Hydro committee. This committee will meet at least four times a year to review Hydro's progress in meeting our goals and to provide policy leadership to the utility. As a reminder again, this is a committee chaired by the Premier and involves a number of senior ministers from the cabinet.

Also, I think it is an important reminder that Hydro has many other specific controls which make it accountable to different levels of government. Hydro, for example, must already comply with more than 25 statutes pertaining to federal, provincial and municipal levels of government. I might remind all members that Hydro needs government approval for major land purchases, construction, borrowing—which I mentioned before—supply purchase contracts and for export.

My friends the critics for the other parties raised other questions yesterday and today, questions of evaluation and assessment. Should the Ministry of Energy or the Ontario Energy Board conduct such evaluations? Should we be setting up superstructures to mirror Ontario Hydro in order to challenge and to examine the decisions coming out of Hydro? Or asked in a different way, what appropriate mechanisms can be used to evaluate the decisions coming from Ontario Hydro?

Let me assure my friends, the critics of the other parties, that we gave these questions considerable consideration also. Under Bill 204 what they will see is that the Ministry of Energy and the Ontario Energy Board would both continue to have a role to play in carrying out this important function.

However, I would respond specifically to answer the concerns of the critic, the member for Hamilton Mountain, that this government also

has a number of additional ways of determining the results of our policy initiatives on Ontario Hydro—technical advisory panels, special inquiries, interministerial reviews, to mention several. One of the most important ways of gauging our progress is through the all-party select committee process in which both critics have made considerable comment. In recent years, we have had two select committees in which my friends the critics for the two parties have taken part.

1600

Before I comment on the select committees, let me just go back a half step and say that we have heard their comments yesterday and today with respect to needed changes to the Ontario Energy Board Act. I wish to assure them that when the amendments to the Power Corporation Act have been passed, it is our intention to focus our attention more intensely on the OEB Act. Already, the ministry has been working on proposed changes.

I must remind all of my colleagues in the other parties that the OEB Act pertains also to the other 80 per cent of the \$13-billion worth, at wholesale prices, of energy that is consumed in Ontario. Namely, it covers the oil and gas policies in which this government's energy policy must also be involved. Currently, the natural gas deregulation policies of the federal government and the western Canadian gas-producing provinces and their effect on Ontario, which is the largest provincial consumer of energy in Canada, make these issues very important in our considerations of the amendments to the OEB Act.

But going back to the select committees, let me say that these committees have provided the government with significant input into energy policy. I would add that this process has also allowed for important input into energy decisions from the public, from Ontario Hydro and from a cross-section of energy interest groups.

I know that some of the members of the select committee on energy are here and I wish to acknowledge that. The report of the committee has been given to Ontario Hydro and will contribute to Hydro's preferred plan, which the critic from the third party referred to a few minutes ago; the preferred plan which we expect the government will receive this fall. I want to take this opportunity to thank the committee for its valuable recommendations.

In particular, let me at this time respond to the comments the New Democratic Party's critic raised yesterday on recommendations 10 and 12 contained in the 1986 select committee report.

On recommendation 10, regarding conservation projects: I would remind the member that the government requested a conservation plan from Hydro which significantly raised the targets for demand management and moved forward the dates on which significant programs would start.

On recommendation 12, regarding Hydro's promotion of conservation: I would respond that Bill 204 extends Hydro's authority to provide grants for conservation and efficiency improvement programs. Government will also have access to Hydro's conservation plans for comment and review.

In addition to select committees, the government has commissioned, as I mentioned a moment ago, independent reviews of aspects of our energy policy. I refer specifically to the Hare report on nuclear safety and to the independent panel of experts who reviewed Hydro's draft demand-supply planning strategy.

About a dozen government ministries also conducted a review of the demand-supply planning strategy and conservation and parallel-generation aspects have been reviewed by Ontario Hydro and by independent consultants.

One of the best ways of evaluating our energy policy—because that is what we are talking about—is talking to our energy stakeholders in the province. As minister, I have met regularly with energy interest groups, as I am sure members also have in meeting their duties in a very responsible way. The many groups that I have met with and consulted with would range from Energy Probe to the Municipal Electric Association, to give two examples.

I also have had the opportunity to listen at first hand to the comments of the people of Ontario while travelling around the province in my capacity as minister. I am pleased to meet with members of the public and my opposition critics at any time to hear and respond to their concerns and comments.

I believe the amendments to the Power Corporation Act together with the memorandum of understanding is an important step towards ensuring that we meet our mandate of providing safe, reliable and adequate supplies of electricity to the people of Ontario in an environmentally and socially acceptable way.

I agree with my critics that the relationship between the government and Ontario Hydro should be monitored closely. The members have my commitment that we will continue to assess this relationship. Should we at some time in the future decide that improvements could be made, we will make such improvements.

This is the first time in 15 years that a major review of the act has taken place. I believe this government has been successful in bringing the relationship up to date and in bringing it more in line with current realities. We have ensured that Ontario Hydro will be responsive to government policies and public priorities.

Last but not least is the part III area that both critics had raised. I think one of them put it in the framework of: "What is the government's strategy and overall direction? What have we been telling Hydro? What will we be telling Hydro?"

I wish to remind my colleagues of the things we have been saying to Hydro, which will be amplified, magnified and improved as time passes under the new legislation. What we have been saying up until today is that the number one priority is energy efficiency and energy conservation. The members know that we have talked about the 4,500-megawatt target by the year 2000, which is more than one Darlington nuclear plant. In other words, if we do not do this and Ontario Hydro and Ontario, the people, the businesses and industry do not do this, we will have to build another big power plant to do that. But doing that will help us to conserve 4,500 megawatts.

More parallel generation is another important message to Ontario Hydro. The members heard the numbers and the targets I gave a moment ago, and the fact that we hopefully soon are coming out with a specific policy statement—it will be the first—to be made after this legislation has been passed.

Other things for Hydro to consider in determining the electricity role that it plays and what we hope to see reflected in the preferred plan this fall would be encouragement of a greater use of the cost-effective renewables; more parallel generation; more cogeneration; giving consideration to some purchases; at least negotiating with our neighbouring provinces; and considering the rehabilitation of old plants. Of course, as I have just said, we have asked Hydro to take these very complex considerations and put them into a preferred plan, so that the public and the government in the next stage can examine this thoroughly and effectively before we make the next major decisions that will take this province in energy policy and electricity policy into the next century.

Of course the people have been saying: "We want reliable and safe supplies of electricity. We want low-cost electricity and we want to protect the environment."

Let me wind up and again say that I thank all the members of the opposition and all my colleagues here for their comments on Bill 204. As I said yesterday, I would be happy to ensure that this bill proceeds to committee. I will look forward to participating in this committee process and I welcome suggestions on the legislation.

Motion agreed to.

1610

Hon Mr Conway: I might just say at this time that by agreement, this bill will be referred to the select committee on energy, a motion for the reconstitution of which will be prepared and presented to the House very shortly.

Bill ordered for select committee on energy.

INDIAN LANDS AGREEMENT CONFIRMATION ACT, 1989

Mr Offer moved, on behalf of Hon Mr Scott, second reading of Bill 200, An Act to confirm a certain Agreement between the Governments of Canada and Ontario.

Mr Offer: I am pleased to introduce for second reading legislation that will confirm the 1986 Indian Lands Agreement.

Members will recall that when introduced for first reading it was emphasized that this new agreement does not change or attempt to change any rights of Indian bands within our province. The members will recall that until now many of the issues surrounding Indian reserve lands and natural resources on those lands have been governed by the Indian Lands Agreement of 1924.

That agreement has proven vague, ineffective and unsatisfactory. This new agreement has been developed co-operatively with the federal government and representatives of the Indian bands through the Indian Commission of Ontario and is intended to accomplish two goals.

First, it will stand with the 1924 agreement and provide a legislative mechanism to correct existing deficiencies. Second, it will allow individual Indian bands to join with Canada and Ontario to negotiate and implement specific land and natural resource accords.

It is important to note, particularly in the context of the positions taken by native people on aboriginal self-government and this government's commitment to support initiatives to achieve aboriginal self-government, that this bill provides that agreements will only come into force when confirmed by Indian band involvement.

This is a significant step forward in the way in which the federal and provincial governments deal with Indian bands.

The cabinet supported the contents of this agreement in October 1985. Both the Minister of Natural Resources (Mr Kerrio)—who I am pleased to see is in the House at this time—on behalf of the government of Ontario, and the Minister of Indian Affairs and Northern Development on behalf of the government of Canada, have signed it.

Our colleagues in Ottawa confirmed this agreement in July 1988. I ask for support of this House for confirmation of this agreement so that this very important agreement may take force and effect.

The Acting Speaker (Mr M. C. Ray): Are there other participants? The member for Durham East.

Mr Cureatz: Oh no, no. I am just standing up to clear my papers, getting ready for the bird bill tomorrow.

The Acting Speaker: The member for Lake Nipigon.

Mr Pouliot: I want to thank the distinguished representative from the government for bringing forth what is really the—

The Acting Speaker: Can I first clarify: Is the member on a comment?

Mr Pouliot: I am a participant. Mr Speaker, you did specifically, if my memory serves me correctly—excuse me, you have asked a question—call for participants in the debate. I rose and I was recognized.

The Acting Speaker: And I have to beg your indulgence. Are there any comments or questions? There are none. The member for Lake Nipigon.

Mr Pouliot: What we are talking about here is basically an update, something that has to be done, an agreement between the feds and the province, a sequel, film II, to an agreement in 1924, which the representative from the government should not take a great deal of pride in, for the sequel represents very little native participation.

I guess it is his job, his mandate. He does it quite well. He tells us about the less fortunate in our society, about what really represents government at its worst. When we put people on reserves when, in some cases, they represent living conditions that rival those of some people in the Third World, I would not rise at my post with a great deal of pride. A lot remains to be done.

What the government representative should tell us is that communities such as Summer Beaver, Webequie and Lansdowne House—and there are many, many others—have been waiting for a number of years to have a place they can call their own and that they have been caught in a ping-pong game, in the dilemma between, among others, the Ministry of Natural Resources, the directorate, the mandate of the minister responsible for native affairs (Mr Scott) and the federal government. For a few dollars more, for a few square metres, not miles, in some cases, those people have filled every criterion, moved through every loop, filled every condition to move from band to reserve status and have been waiting a long, long time.

I had the opportunity to respond to the compliment of an invitation to be not a participant but an observer at the 1985 federal conference, the conference on aboriginal matters, the first ministers' conference. I too was somewhat shocked at the very heading, the very mandate. We were in Ottawa at a first ministers' conference daring to decide on matters concerning our first Canadians. The sequel, rightly so, should have read "with self-government." It should have been a first nations' conference dealing with their own affairs, but I guess we are not there yet.

We all readily acquiesce, we sympathize with people who have a little less and we try to put ourselves in their shoes and say their time will come. When you live on a reserve in a northern community, it is not something you are very proud of. We call it "15-amp hydro service," a restricted service. In other words, if it is winter and Ontario Hydro cuts you off if you do not pay your bill—the normal reaction in this business world—it puts you on 15-amp service. If you are a native up north, that is what you get. So literally, when it talks about Hydro powers, the bill recognizes that and perpetuates what was said in 1924.

It means very simply that you have one of those little hot stoves. You see them at some camps someplace. You plug in once and you have a little pan, if you wish, or you boil some water for coffee. It takes some time, but it is fairly expedient. Then you go in the next room, if you happen to have one, and you plug in your electric frying pan. But you cannot watch TV at the same time because then your system will be surpassed, will be exceeded and everything will kick out. This is 1989. This is what we are talking about.

It is not a matter of pleading; it is a matter of putting our best foot forward, putting it on top of our agenda, looking at the native Canadians. Give them the opportunity to defend themselves and cope with society; no assimilation, but a degree of integration in order to meet the economic mainstream of Ontario, to be like the others. It does a lot for pride.

1620

I just returned with my distinguished leader and other members of our party. We spent four and a half days on the shores of James Bay, you know, Attawapiskat and Kashechewan. Eighteen per cent of the people in my riding of Lake Nipigon—we are the next riding—are either Ojibway or Cree. They are Cree in Fort Severn, which is the northernmost community in the riding of Lake Nipigon. Then you go to Big Trout Lake, the largest reserve in our riding, and on and on. You spend days there, overnight, it is no big deal.

When you look at the comparison, you cannot help it. Life is short, we always say. If one has an ounce of a social conscience—we all do, every member of this House does, for sure. We look at it and then we come back here and look at the jurisdiction and look at what is being presented. Do we not begin to stew emotionally? I do not care what one's stock is, whether one is from a Latin background or whatever.

Do we not begin to agonize, to search within ourselves? Hopefully there is something left there and we say, "Given the opportunities we have, given our mandate to make rules and to help people, we can do this here at times with the stroke of a pen." Other times we have to listen, as well as speak well. But we must ask them what they wish so that tomorrow will look better than today. They are not asking for a great deal.

We will support this endeavour simply because it represents a constant. It is continuity of what was established in 1924; it is a sequel. The real answer lies with the ability of people to decide their own affairs. It will come for there is no other alternative. It may take one, it may take two or it may take three, but when it does come it will be the last first ministers' conference on aboriginal matters.

I want to present to this House, perhaps by way of conclusion, a phenomenon that is occurring. I, too, dwell on statistics, not only as they affect Ontario, Canada and North America, but the world. Statistics Canada does that fairly well, and there are other bodies that supply us with endless but nevertheless relevant and interesting statistics.

A community like Fort Albany, for instance, has a population of some 1,200 people. I visited the school; the little ones only go from grade 1 to grade 8. I talked to the chief. He said, "Gilles, there are 1,200 people here." I asked, "How many people are in this school?" He said there are 610 people." I said: "It can't be. What about the little ones who are not between grade 1 and grade 8? What about the elders and down the line, people who are past grade 8?" He said, "The average age in Fort Albany, on this reserve, is 19." I said, "My God."

That says a lot for the progress of modern medicine in some ways. It says a lot for the future of cultural identity. But it is very scary. If you look at it from the point of the old premise whereby when we look at standards of living, we do not look in terms of a maximum but always in terms of a minimum. It means a lot. What I have said about Kashechewan or Fort Albany is not an isolated incident. It represents the overall situation of our native Canadians and also our first Ontarians. I think we have to listen better to the alternatives.

I know, with respect, that I am taking a little too much time, but it is a matter that needs to be addressed. The opportunity is not always present to do so. Perhaps when I leave—life in this House is very short, indeed, be it by political accident or by choice, if I have that luxury, it is the one message that I will take with me, the one message that we can, indeed, when it comes to our first Canadians, do a lot more.

Mr Daigler: I must say that as a member from eastern Ontario, I do appreciate when the member for Lake Nipigon speaks about his experience in the north and in particular with the native people. I think he is pointing out some concerns that are very real and that I think all of us have to address with great care and great sensitivity. I did want to thank the member for the points he is making and for making members such as myself more aware and more attentive to the concerns of northerners generally and of native people in particular.

Ms Bryden: I would also like to congratulate the member for Lake Nipigon on his extremely well-presented arguments of the needs of the native people and the need for those concerns to be looked after in this agreement, and perhaps in a better way even than the agreement presently states. I think he has given us a very real picture of life in the north. We must not ignore the people up there and we must not neglect to ensure them the quality of life that we enjoy down here.

I would also like to say that I completely agree with his views on what we should be doing for the native people in the north.

The Acting Speaker: Are there any other comments or questions? Would the member for Lake Nipigon care to reply? No? Next, the member for Parry Sound.

Mr Eves: It is a pleasure to rise on behalf of our party in the Legislature this afternoon and support this piece of legislation.

I thought it might be useful for some members of the public to understand the background behind this particular piece of legislation. The purpose of the bill, as I understand it, is to confirm Ontario's commitment to the 1986 Indian lands agreement between the government of Canada and Ontario, as was established with the federal legislation, the Indian Lands Agreement Act, in 1986.

The federal-provincial agreement was initiated by the federal government to strengthen and improve the 1924 Canada-Ontario Indian lands agreement. It represents, in essence, a renegotiation of the 1924 Indian lands agreement. A clause in the 1986 federal act indicates that it will come into force when it is confirmed by both the Parliament of Canada and the Legislature of Ontario and this bill, very simply, ensures Ontario's confirmation of that 1986 act.

Before this federal act was passed, a series of court decisions had established that the title to and interest in all surrendered Indian lands in Ontario be passed to the province free from any Indian interest. On 24 March 1924, Canada and Ontario entered into an agreement to give the federal government the right to dispose of surrendered Indian lands and give the proceeds to the native people. Ambiguities in the wording of that act have created doubts about whether the act applies to lands surrendered before the agreement was signed; that is, before 1924.

Since the 1924 agreement, Ontario has held 50 per cent of mineral resource revenues and has given the remainder to Indian bands. Since the 1950s, several discussions have been held between federal and provincial governments, culminating in an agreement signed on 5 August 1986 by Canada and Ontario, the Union of Ontario Indians and the Sarnia and Six Nations bands.

In 1986, the Indian Lands Agreement Act allowed Canada, Ontario and individual Indian bands to enter into band-specific agreements that remove the provincial control over any land or resources from lands surrendered by Indians prior to 1924. As a result, it is possible that up to

200,000 acres of land could be added to the reserves of Ontario Indians. The extended resource and land base resulting from this act may help Indians establish an infrastructure to support self-government among themselves.

1630

It should be noted, however, that the removal of provincial controls will occur only if all three parties—that is, the federal government, the provincial government and the Indian bands—agree. If they do not reach an agreement to that effect, the act really will have no effect.

The rights of any third-party occupants will be dealt with as part of any band's specific negotiations, and where occupied lands cannot be returned to reserve status, other methods of compensating bands, I presume, will have to be explored.

Bands that do not wish to enter into specific agreements will continue to be governed by the 1924 agreement. In other words, the province can continue to control surrendered Indian lands or resources unless Indian bands wish to enter into agreements with both the federal and provincial governments to give themselves control over or financial compensation for their properties.

I would like to associate myself with the remarks made by my colleague the member for Lake Nipigon (Mr Pouliot). They were most eloquent, and I think he said them out of far more experience, perhaps, than I have. There are something like six Indian bands in my particular constituency, and I meet with them on a continuing basis. I think he is quite right when he says that too often we do not do enough listening and we do too much talking as members of the Legislature. I think that applies to us all from time to time.

I can remember in early 1985 when I was the Provincial Secretary for Resources Development in Ontario, and as such, part of my mandate was native affairs in Ontario. Attending a first ministers' conference with then-Premier Frank Miller in Ottawa, we came very, very close indeed at that particular first ministers' conference to agreeing upon an avenue of self-government for native peoples not only in Ontario but all over Canada.

I would have thought then in 1985—and I am not saying this in any political sense at all; I am saying it quite sincerely—that I would not be standing in my place in the Ontario Legislature in 1989 without self-government having been achieved.

I am not being critical of this government. I want that very clear. I think that Ontario over the years has led the way among its sister provinces with respect to a progressive attitude towards Indian and native self-government. If some of our sister provinces were perhaps as progressive as this province has been over the last many, many years, I think we would have native self-government all across Canada today.

In summation, Bill 200 does not change the rights of Indian bands in Ontario. It merely provides a mechanism to correct inconsistencies in the 1924 agreement and make control of all surrendered Indian lands subject to subagreements by Ottawa, Ontario and Indian bands. Bill 200 does nothing more than indicate the province's intention of keeping its promise to adhere to the 1986 Indian lands agreement, and we for our part will be pleased to support this legislation.

Mr Offer: It is my pleasure to wind up the debate and first to thank my colleagues and their respective caucuses for their unanimous support of this very important bill.

I think this bill, as has been indicated, provides the statutory authority for the implementation of subagreements with individual Indian bands on specific land and natural resource issues. As contained in that agreement, that would include, for instance, mining revenues from Indian reserve land, roads and road allowances in surrendered Indian reserve land and confirmation of administration and control of surrendered Indian reserve land. That is the type of subagreement that is contemplated in this agreement, as well as other matters.

Of extreme importance is that such a specific agreement shall only come into force when it is confirmed by orders in council of both Canada and Ontario and by the band. Within that particular agreement, confirmation, and the process for confirmation by a band, is specifically outlined. That is an important addition to the whole question of negotiation in terms of the specific agreements.

In conclusion, I would like to refer to some of the comments from the member for Lake Nipigon specifically. He has eloquently and very knowledgeably talked about the necessity for a greater understanding, a sensitivity, a compassion and a forging of emotional ties. I know the member for Lake Nipigon will recall it was just about a month ago that there was an exchange program between persons in his riding from the Webequie tribe and individuals from my riding at Westwood Secondary School, where there was

that forum of exchange, that forum to build upon an understanding, an emotion and a sensitivity.

With the lessons shown and the examples shown by that exchange program, by the leadership of this Legislature, those emotional ties, the sensitivity and understanding will be not only forged but strengthened. I thank the members very much for the approval of this legislation.

Motion agreed to.

Bill ordered for third reading.

PROVINCIAL OFFENCES AND HIGHWAY TRAFFIC AMENDMENT ACT, 1989

Mr Offer moved, on behalf of Hon Mr Scott, second reading of Bill 189, An Act to amend the Provincial Offences Act and the Highway Traffic Act.

Mr Offer: Part V-A of the Provincial Offences Act establishes special provisions for young persons charged with provincial offences. When these procedures were established, the provincial act followed the federal Young Offenders Act, and imposed a complete ban on publication of the identity of young persons involved in the proceedings. That blanket prohibition created serious and unanticipated difficulties in the administration of justice.

One of our early victories in achieving amendments to the Young Offenders Act was in obtaining necessary exceptions to that ban. This bill will likewise provide necessary exceptions to the provincial publication ban, while maintaining respect for and protection of the identity of young persons.

Mr Hampton: I will not take a great deal of time with this bill, merely enough time to point out and to state that it is pretty clear these amendments are necessary. It is pretty clear, in view of the impact of the Young Offenders Act, that these amendments have to be dealt with, and it is pretty clear that if police and other public law enforcement officials are to be able to do their job properly and yet respect the spirit and intent of the Young Offenders Act, these amendments must be placed before the House.

We will be supporting the amendments and look forward to getting on with that in very short order.

1640

Mr Sterling: I want to indicate with regard to this bill, along with another bill which we may be considering today, Bill 93, An Act to revise the Justices of the Peace Act, as well as Bill 200, which we have just passed in this Legislature,

that we in the opposition parties suggested these be put on the legislative mandate because we agree in general with those pieces of legislation. We want to see the Legislature progress and pass legislation that is fairly straightforward; we do not want stop up this Legislature with legislation which seems to be fairly well thought out. We are quite willing to be co-operative in those instances.

Bill 189 is one of those small pieces of legislation which in the larger sense is not going to have a great impact on the people of Ontario but causes a great deal of inconvenience and problems for various parts of our justice system and for people who work with our justice system on a day-to-day basis.

These amendments deal with the disclosure of the identity of young people under the age of 18 in certain circumstances, primarily dealing with automobile driving offences. We believe these changes are necessary in order for us to have a coherent insurance industry or in order to give police the capability of properly investigating car accidents. We believe, therefore, that this legislation should have speedy passage. We give our full support to the legislation.

Mr Offer: Briefly, I would like to thank my colleagues on the other side for their support of a necessary piece of legislation which will provide an improvement to the existing system. It was on that basis I moved second reading of this bill.

Motion agreed to.

Bill ordered for third reading.

COURTS OF JUSTICE AMENDMENT ACT, 1989

Mr Offer moved, on behalf of Hon Mr Scott, second reading of Bill 2, An Act to amend the Courts of Justice Act, 1984.

Mr Offer: I think members of the Legislature will know that in this bill we are dealing with a vision of court reform in this province. It has been more than 100 years since the last reform movement of this nature and, as such, we are dealing with a very fundamental change in the trial court system in this province.

As the Attorney General (Mr Scott) indicated at the time the bill was introduced, this represents an important first phase of a fundamental reform in the structure of our courts. Ultimately, the government hopes that Ontario will have a single trial court composed entirely of superior court judges capable of dealing with any kind of dispute.

Bill 2 takes us a significant step in that direction. It will merge the existing federally

appointed trial courts, the High Court, the district court and the surrogate courts into a single superior court called the Ontario Court (General Division). The Divisional Court and the small claims court will be operated as branches of this General Division.

The merger of the federally appointed courts will result in superior court judges being locally resident throughout the province. It will no longer be necessary for litigants outside Toronto to wait for a judge to be sent out from Toronto to hear certain kinds of cases.

The bill will also fuse the provincial court (family division), the provincial court (criminal division) and the provincial offences court into one court.

Mr Hampton: On a point of order, Mr Speaker.

The Deputy Speaker: Under which standing order?

Mr Hampton: I will look it up, but we lack a quorum, I believe. If this is so important, I think there at least ought to be a quorum in the House.

The Deputy Speaker ordered the bells rung.

1646

Mr Offer: As I was indicating prior to the quorum call, the bill will fuse the provincial court (family division), the provincial court (criminal division) and the provincial offences court into one court called the Ontario Court (Provincial Division). Fusion will provide for greater flexibility in the use of judicial resources, although provincial judges in the new court will be able to continue to specialize in the area of law that most interests them.

Another important feature of the bill involves the jurisdiction of the small claims court. The bill will allow the court's monetary jurisdiction to be established by regulation, and the Attorney General has indicated that jurisdiction will be increased to \$5,000 across the province. As the members are aware, this represents a dramatic increase in access to the small claims court and simpler, less expensive procedures, especially for litigants outside of Toronto. For those litigants, this type of an increase in the monetary jurisdiction is fivefold.

Other provisions of the bill will regionalize the operation of the courts. Regionalization will facilitate more effective management. Judicial resources as well as court staff resources will be managed on a regional basis. Each region will have regional senior judges responsible in their region for the judicial resources of their court. The Divisional Court will also be required to hear

appeals in each of the regions, making appeals more accessible outside of Toronto.

Another important aspect of the bill is its recognition that the management of courts requires the co-operation of judges, administrators, crown attorneys and the bar. The bill is intended to facilitate this co-operation by establishing forums where information and ideas can be shared.

As the Attorney General said on the introduction of the bill, our goal is the creation of a court structure that will promote a simpler, less expensive and co-operatively managed system in which we can all have confidence and pride.

We have been gratified by the many positive comments that the bill has received across the province. I look forward to hearing the views of my colleagues in the House. I feel confident of the ultimate success of this undertaking. We can settle for nothing less if the justice system is to continue to have the respect and confidence of the people.

We should all bear in mind that the purpose of the total court reform vision is to advance and improve the administration of justice and provide the best possible trial court structure for the people of this province.

As I have indicated earlier, I look forward to hearing comments from my colleagues and to passage of this legislation.

1650

Mr Hampton: In view of the fact that Criminal Code amendments may be necessary—will be necessary, from what I am told—in order to ensure that phase 2 of the bill is implemented, and in view of the fact that constitutional amendments may be necessary, particularly in the area of divorce and in terms of the provinces assuming jurisdiction over divorce, can the parliamentary assistant tell us what discussions have gone on between the Ministry of the Attorney General and the federal Minister of Justice on these issues?

Mr Offer: As the member most likely will be aware, any vision in terms of the effective administration of the trial court system is one that is shared in the main not only by the province of Ontario and its Attorney General but in large measure by other provinces and the federal government.

In terms of the first phase of this legislation, there is the requirement for approval by the federal government. As the member will be aware, the federal government has given that approval to other provinces in earlier circumstances. We expect through our negotiations and

discussions with the federal government that this will be forthcoming in this phase.

As one deals with the second phase of court reform, the full, total vision in terms of the court reform proposal for the province of Ontario, there will be the necessity for ongoing discussions between this province and the federal government. Those discussions are ones which will be of an ongoing nature dealing with matters which will come up and have to be discussed.

I personally am confident that we all share in the end result, the ultimate vision of a most effective trial court system, and as such, I am quite confident those negotiations will prove fruitful.

Mr Hampton: I want to say on behalf of my party that we certainly welcome this bill. We have felt for a long time that the court system in Ontario should be simplified and that its structure should be made more open so that members of the general public will have a greater opportunity, first of all, to understand what is happening in the court system and, secondly, to have access to the court system.

In principle, we support this legislation and we think it is long overdue. In particular, we support the extension of the monetary limit of small claims courts across the province to \$5,000. Indeed, some of us have wondered how the government could allow the anomalous situation of a \$3,000 limit within Metropolitan Toronto in terms of small claims court and only \$1,000 limit elsewhere in the province. That was a most unjust system. If you lived elsewhere in the province, you had to endure significant costs in order to collect on a debt of \$1,500, whereas there was a simple and inexpensive small claims court procedure to collect on the same debt in Toronto.

In particular, we support that aspect of this legislation. We think it will make it easier for many people who have small debt problems to collect on those without having to involve themselves in the arcane procedure of our superior courts.

Having said that we support this bill in principle and what the legislation aims to do, and that in particular we support the extension of the monetary jurisdiction of the small claims court, I think it is only fair that I point out all of the things we do not see in this legislation and that we think are going to be problematic.

The first phase is a good step, in our view, but it must be noted, and I think we need only listen to some of the comments from some of the judges in this province, that if the first stage is to be

properly enacted and implemented, it is going to require this government to spend more money in terms of judges' salaries and the administrative process for the courts than it has heretofore been willing to spend. In other words, the government very quickly is going to have to come up with some funding if this process is to be meaningful. I would hope that the funding issue will not be another matter of pulling teeth, as it has been in terms of the wages and salaries and working conditions of provincial court judges.

The other element that I think will have to get some attention is this. Provincial court judges in the family and criminal divisions have said to this government over and over again that it must appoint more judges and that there must be an increase in court facilities. What is happening at present in many of our family and criminal courts in this province, especially in those courts in southern urban Ontario, cannot pass for justice, because there are trials being delayed for more than a year and simple hearings being delayed for extended periods of time.

It is not enough for the government just to pass this legislation. What is necessary along with it is that the government produce the money to pay for the increased administrative costs that this legislation will necessarily mean; that the government produce the money to pay for the courtroom facilities that are so clearly necessary, and that the government produce the money to permit the judges and the other dedicated people who work within our provincial court system to do the job that they want to do and are unable to do at this point in time. It is not enough just to pass the legislation. The government is also going to have to come up with the money.

I want to comment just briefly on phase 2. I have to say that the statement the Attorney General made when this bill was introduced in the House for first reading was quite overblown. In fact, when I read that statement again I almost thought that the Attorney General was announcing a revolutionary change in our court system in Ontario. The fact of the matter is—and again, judges in this province have said this—that most of the phase 1 changes are quite cosmetic indeed and that the real meat and potatoes of the changes will not happen until phase 2.

However, the point is this. In order for the phase 2 changes to the court system to be implemented—and I am glad that the parliamentary assistant acknowledged this—the Attorney General will have to engage in concerted discussions with the federal government and other provincial governments for changes to the

Criminal Code and to the Constitution in terms of dealing with jurisdiction over divorce and other matters corollary thereto. In fact, those are going to be very difficult discussions. We know that because we have seen them before. They have taken a great deal of time. It is very difficult to get agreement among all parties.

What we have here really is that upon the introduction of the bill the Attorney General made a statement of great fanfare, saying that this was going to be the change of all changes for the Ontario court system, but in fact the real meat and potatoes of the changes to the court system cannot happen next year, they probably cannot happen in 1991 and, if I read the comments of members of the judiciary correctly, they probably will not happen for another three to five years, if at all. I think that needs to be put very clearly on the record.

What is happening here in phase 1 is very much cosmetic changes. Mind you, they are cosmetic changes which will require the government, if it is going to live up to what it says is in this legislation, to spend some more money and improve the administration and the physical framework of our courts. Beyond phase 1, the phase 2 changes are going to be very difficult to implement. I think they will probably be subject to a great deal more debate.

1700

Let me move on to something which I cannot believe is not in this legislation. If the Attorney General really wants to make the court system and court procedures more open to the public and more amenable to the general public, then somewhere in this legislation there should have been a part dealing with class action suits.

The government has reports and reviews which have recommended that the government bring in a class action act which would permit such actions by members of the public, consumers who feel aggrieved by the products they have purchased, who feel aggrieved in terms of their commercial relationships. This would have been a perfect place to do it.

There should be a part in this bill dealing with and implementing comprehensive class actions so one does not have the silly situation, as it is now, where if one has 2,000 consumers who are all aggrieved in regard to the same company, all bought relatively the same product and all have the same problem with the product, they cannot sue together in a class action.

Mr Callahan: Yes, they can.

Mr Hampton: No, they cannot. There are so many rules and exceptions to it that they cannot.

Mr Callahan: Practise law.

Mr Hampton: No, they do not. In fact, to the member for Brampton South (Mr Callahan), I went through the rules of practice again last night and I went through the government's own report on class actions. There is agreement in both the rules of practice and in the government's report on class actions that even the changes that were made in the new rules of practice do not permit class actions as they ought to permit them and that, in fact, class actions in Ontario are still restricted to a very unreasonable extent.

I ask the parliamentary assistant: If this bill is really what he says it is about, if it is really about making the courts more open, more amenable to the ordinary person, why is there not a part in this bill dealing with comprehensive class actions so that aggrieved consumers in this province can make better use of the legislation?

As I said, we will support this legislation in principle, but for the Attorney General to stand in this House as he did and pretend that it is the be-all and end-all of court reform, we simply cannot accept. Phase 1 is relatively cosmetic changes. Phase 2 may never happen and will likely take five years to happen if indeed it does happen.

Most of all, some of the measures that would have made this legislation very meaningful for the general public, measures such as comprehensive class actions, simply are not there. As I said, we will support the legislation in principle, but this legislation, though it does a couple of good things, leaves an awful lot to be desired. The government should know that. Quite frankly, if the government is serious about this legislation it should bring in amendments now to deal with those things.

Mr Sterling: Bills 2 and 3, which we are considering today, have some significance in changing how our courts are run in Ontario. When the Attorney General announced these changes, this being the first stage, I believe our party was supportive of the Attorney General immediately in terms of the first stage and also the second stage in its aspect for the future.

I must say, however, that I do not expect the second stage to happen in my lifetime or the lifetime of the member for Brampton South. Because of the nature in which its proposal was introduced here in the Legislature of Ontario, I suggest that there might have been a political mistake at that time, if the Attorney General was genuine in his intent to have the second stage carried through.

It requires a great deal of accommodation and a great deal of co-operation on the part of our federal colleagues. I thought it would have been better perhaps for the attorneys general of all the provinces and the Minister of Justice of Canada to make that kind of an announcement together at some time in the future after some preliminary negotiations had taken place.

Notwithstanding that, we are dealing with the first phase and while it is a significant step for Ontario—I will give the government that—we are the eighth province out of 10 to really take this step. We are, in a large way, trailing behind the other provinces in carrying forward the merging of the district and supreme courts of our province.

Therefore, it appears to those such as our judges and bar, who are dealing day to day with this change, that it is perhaps not as significant a step as one first would believe. It has been achieved in seven other provinces and, therefore, our federal government is quite willing, as I understand it, to give the first phase its blessing, as that will be necessary in order to effect the changes that we are talking about here.

I would like to comment briefly on the changes resulting from Bills 2 and 3. While there has been some holding out on whether there will be efficiencies achieved, I think it is important to note the words of the Honourable W. G. Howland, the Chief Justice of Ontario, on the opening of the courts on 6 January of this year:

"The one subject about which the public is vitally concerned is whether any reorganization of a court system will result in the elimination of the backlog of cases and will restore to an accused person his right under the charter to be tried within a reasonable time. A new regional administration, however superb, will only provide the necessary backup. But the judiciary must have up front the required number of judges, courtrooms and court staff to fulfil its task. It is important that this situation is fully understood."

I think what the Chief Justice of Ontario is stating is that, in spite of the fact that perhaps we are going to have some efficiencies achieved by the unification of certain levels of court at stage 1, it will not work unless the necessary resources are there to carry it out and to back up what the justice system has needed in the past.

I would also like to refer to another part of Chief Justice Howland's remarks to the opening of the courts this year, wherein he was talking with regard to the Court of Appeal. Chief Justice Howland supported the recommendations put

forward by Mr Justice Zuber, who was the instigator behind court reform in Ontario. Mr Justice Zuber reported in 1987, and Bills 2 and 3 are the result in part of his findings.

1710

One of the parts which has been left out of Bills 2 and 3—Bill 2 in particular—relates to dealing with the problem of the backlog of appeals before the Court of Appeal of Ontario. I will read again from the remarks of Chief Justice Howland: “The most serious problem presently facing the Court of Appeal is how to deal with its backlog of appeals which is too great for the court to cope with by its present resources.”

The Zuber commission recommended the establishment of an intermediate court of appeal comprising a Chief Justice and some 24 judges, and six judges to hear appeals from the intermediate court, only by leave. The Court of Appeal had supported this recommendation. I would hope that during the committee process, the Attorney General will consider once again the creation of the intermediate court of appeal, which I believe should at least be tried in this province because of the very large case load the Court of Appeal for Ontario is now asked to hear.

There was some discussion about whether or not Bill 2 and Bill 3 should be referred to a committee, and not committee of the whole House. I want to make it clear that our party in no way wants to stall Bill 2 and Bill 3 at all. However, I must say that I feel the only responsible route is for this Legislature to send Bill 2 and Bill 3 out to a committee in order to allow members of the bar and members of the judiciary, either directly or indirectly, to have their views heard on a very complicated piece of legislation.

In fact, I was informed by the parliamentary assistant, who agreed to send this bill out to committee after some discussions with myself and, I believe, the critic for the New Democratic Party, that he now has some 25 amendments to place before the Legislature on Bill 2. This bill was introduced on 1 May 1989, and I presume that over the past five weeks the Attorney General has identified 25 errors in this piece of legislation. That is quite understandable, quite frankly, with a very difficult piece of legislation like Bill 2, dealing with a lot of technicalities.

Some of those amendments are not of great import to the general thrust of the legislation, but I do feel we should allow a little more time to pass and draw on the resources of the bar and of people who are going to be dealing specifically with the new legislation, to eliminate as many of

the glitches as we can from Bill 2 and Bill 3. I believe that by sending it out to committee we will achieve that through the legislative process. I predict there will be more than 25 amendments put forward by the government during the hearing of this bill, probably closer to twice that number when all is said and done.

I only want to say as well that as a member of the Carleton Bar Association in eastern Ontario, which has had a very active role in court reform, has been a proponent of court reform and in particular the regionalization of our Supreme Court in order to allow people in eastern Ontario to have a better net of justice, I think I would be lacking as a member of the Ottawa-Carleton area in not allowing the Carleton Bar at least the opportunity to make a presentation in front of the standing committee on administration of justice, which I believe would receive this legislation.

There are many individuals in the Ottawa-Carleton area who would, I am sure, like to have some say as to what this bill might do. I guess as a representative of a riding that is some 200 to 250 miles away from the city of Toronto, I believe this legislation will be of benefit not only to the bar—the lawyers in the Ottawa-Carleton area and eastern Ontario—but also will be of great benefit to the people of eastern Ontario in that it will allow them to get speedier justice in terms of interim motions, which have to be brought before a Supreme Court judge and where one is not always available at the present time, but hopefully will be available under the regionalization of the Supreme Court into, I believe, the Ontario Court of Justice, which it will become under this new legislation.

I am also very pleased that as we have been urging, the former member for Oakville, Terry O'Connor, brought forward several pieces of legislation to try to increase the jurisdiction for the small claims court for all across Ontario, but this government has not seen fit to do that until now, some three or four years later.

That will be received, I believe, very well, not only by the public in general but I also want to indicate that the Canadian Federation of Independent Business has been long pushing for this, as well as the Ontario Chamber of Commerce, so that business transactions that fall apart can be resolved on a summary basis and in a very short order.

I would have hoped, however, with regard to the small claims court—perhaps the jurisdiction is not enough or high enough at this time, and I would be interested in hearing the arguments, probably during the committee stage, as to why

there is a differentiation between full-time small claims court judges and part-time small claims court judges in the jurisdiction that they may hear. In the former, I believe it was \$5,000 and in the latter, I believe it is only \$3,000. I think probably one overall monetary jurisdiction would make more sense in that it will make, I believe, a more difficult system if the government tries to keep it divided into two within the one small claims court.

I am anxious to hear representations from the public on this bill. However, if in fact there is not a great deal of interest in coming before the standing committee on administration of justice, I want to assure the government we will co-operate in every way we can through the standing committee on administration of justice to have the clause-by-clause process go through as quickly as possible.

I hope the government will treat this legislation in a more open fashion than I have seen with regard to some of the other legislation, because I believe that in effect this kind of bill is a bill that is nonpartisan in nature. I can only say that in the amendments I will put forward, I will try to be as objective as possible in placing those and will try to view the justice system, not only from a political point of view but also, of course, from the long-term good of the system.

Therefore, in summary, we support this legislation. I believe it probably can be improved during the committee process and I look forward to that process in the very near future.

1720

Mr Offer: First, I would like to thank my colleagues the member for Rainy River (Mr Hampton) and the member for Carleton (Mr Sterling) for their support, in principle, of this legislation. We of course are not going to be opposed to this legislation proceeding to committee stage for some discussion. I think we have made that patently clear.

I would like to indicate in conclusion that this is a very important and in many ways a historic step in terms of the total revision of the trial court system in Ontario. As I have indicated earlier, it has not been done for over 100 years, save as to what has been done on an ad hoc basis.

What we are today discussing, this afternoon in this Legislature, is the first major, fundamental change in the court system of this province, a vision that there shall be a unified one-court system that I believe, and this government and this Attorney General—it is very much his vision—will best serve the people of this province, not only today and tomorrow but for

generations to come. On that basis, I moved second reading of this bill.

Motion agreed to.

Bill ordered for standing committee on administration of justice.

COURT REFORM STATUTE LAW AMENDMENT ACT, 1989

Mr Offer, on behalf of Hon Mr Scott, moved second reading of Bill 3, An Act to amend certain Statutes of Ontario Consequent upon Amendments to the Courts of Justice Act.

Mr Offer: Very briefly, this bill consists of amendments to a variety of statutes, all of which are consequential to the changes made to the court structure as indicated by Bill 2.

The Deputy Speaker: Any questions or comments? Do other members wish to participate in the debate?

Mr Hampton: Only to agree with the parliamentary assistant. This is the companion legislation. It changes the names of courts in a lot of different statutes of the province. Therefore, let's pass it quickly because it does not by itself make any substantive changes.

The Deputy Speaker: Any questions and comments on that statement? If not, do other members wish to participate? Does the member for Carleton have anything to say?

Mr Sterling: Thank you very much for anticipating my involvement in the debate, Mr Speaker.

This act really complements the other act. It involves a lot of technical amendments to various other pieces of legislation affected by Bill 2. One could take any part of the act. For instance, I will read one part of it. It is changing the name of somebody in another act to be in accordance with Bill 2, and that is the nature of this particular piece of legislation.

I would think, however, that Bill 3 is totally dependent on Bill 2 and therefore we should refer both of them to the justice committee, just in case we amend Bill 2 in the justice committee and would want to amend Bill 3 to be coincident with our actions in Bill 2.

We support Bill 3.

The Deputy Speaker: Does any other member wish to participate in the debate? If not, would the parliamentary assistant wish to wind up?

Mr Offer: Just to be brief, I agree with the comments made by the member for Carleton that because this is really consequent and piggyback with Bill 2, which has already been referred to

the justice committee, this bill, upon its passage—I do not presuppose but we have already indicated we heard the agreement by the other parties to its passage—should also be referred to justice committee with the previous bill, Bill 2.

Motion agreed to.

Bill ordered for standing committee on administration of justice.

JUSTICES OF THE PEACE ACT, 1989

LOI DE 1989 SUR LES JUGES DE PAIX

Mr Offer, on behalf of Hon Mr Scott, moved second reading of Bill 93, An Act to revise the Justices of the Peace Act.

M. Offer, au nom de l'hon. M. Scott, propose la deuxième lecture du projet de loi 93, Loi portant révision de la Loi sur les juges de paix.

Mr Offer: As the Attorney General (Mr Scott) indicated when this bill was first announced, it represents a major, substantive and long-needed reform in the administration of justice.

This bill is intended to bring about a fundamental restructuring of the justices of the peace system. Much of the bill is based on recommendations made several years ago by Professor Alan Mewett of the University of Toronto faculty of law. I would like again to express our gratitude to Professor Mewett for the valuable assistance he has provided.

I will briefly mention three of the major changes this bill will bring about.

First, Professor Mewett recommended that a provincial judge be appointed as co-ordinator of justices of the peace, with specific responsibility for the supervision, assignment and organization of justices of the peace throughout the province. The bill will implement this proposal. Provincial co-ordination will promote the effective provision of justices of the peace services in all areas of the province. The co-ordinator will also be responsible for the development and delivery of educational programs designed to further enhance and maintain the high standards of competence of our justices of the peace.

Second, the bill will abolish the archaic system of paying many justices of the peace by fees. Although the Court of Appeal for Ontario has upheld the independence of justices of the peace, I believe the abolition of the fee system will enhance this independence. The bill provides that instead of individual fees paid for each service, a part-time justice of the peace will be paid a fixed proportional salary based on the co-ordinator's determination of the justice's workload.

Third, the bill revises the system for reviewing the conduct of justices of the peace so that it more closely resembles the system in place with respect to provincial judges. In addition to an investigation by the Justices of the Peace Review Council, a public inquiry by a judge will be necessary before a justice of the peace can be removed from office. Moreover, the Justices of the Peace Review Council will for the first time include a justice of the peace and representatives of the public.

I believe this bill will bring about significant improvements in the administration of justice and I look forward to the comments of my colleagues in dealing with this legislation.

Mr Hampton: I have only one brief question of the parliamentary assistant. At this time, there is a program under way to, I believe, increase the number of native justices of the peace. Could the parliamentary assistant tell us if it is a requirement for native persons who want to become justices of the peace that they complete a brief education and training program?

1730

Mr Offer: I am glad the member brought forward that question, because this particular piece of legislation is so designed that those persons who are acting as justices of the peace in that particular program will not be impacted in terms of the part-time, full-time, presiding or nonpresiding aspect and whether they may be employed in other areas of the government.

We believe this particular piece of legislation does come to grips with the concern raised by the member opposite. In fact, there is specific provision within this particular piece of legislation which will not, in my estimation, negatively impact upon that particular program.

Mr Hampton: I want to say again at the outset that we are in favour of this bill in principle. We believe it does some good things in terms of putting some order to the justices of the peace system in this province, which has been described variously by the Canadian Bar Association and by Professor Mewett as being a system in some disorder and a system that, in the past, has been quite difficult to figure out. So we support this legislation in principle.

Having said that, I briefly want to put before the parliamentary assistant and the House the number of ways this legislation may yet be improved. If one reads Professor Mewett's detailed review of the justices of the peace situation in the province, he outlines in detail a number of things that should be done. I am sad to say that only some of the professor's recommen-

dations are in fact found in this legislation and I want to briefly delineate some of the things that are not found in the legislation.

Both Professor Mewett and the Canadian Bar Association, in their respective reviews, have stated that the legislation should have within it some statement of the minimum standard of competence or the minimum standard of qualification for justices of the peace. They have said it basically for two reasons.

One is because, as our legal system becomes more and more complicated, the need not only to have the ability to make very sound judgements but also to understand what is becoming some fairly complex law is readily apparent.

The second reason that has been brought up is quite simply that in the past, and this is unfortunate, the position of justice of the peace has been used as a handy, shall we say, political repository. Unfortunately, in the past we have had situations where people have probably lacked the qualifications but have been of the correct political persuasion at the time and so were appointed JPs. I do not think I need to emphasize the point. That simply should not happen if we really, truly respect our justice system. There should be minimum standards of competence.

The second thing which I do not find in this bill would have taken a very simple statement. All that is required is a statement that the Justices of the Peace Review Council shall establish minimum standards of training. Professor Mewett recommends that as soon as someone is considered for the position of a justice of the peace, he should go through a training program. If he is unable to complete the training program with the proper standing, he cannot after that be a justice of the peace.

He simply points out in his report that there are requirements of law and there are requirements in terms of being able to understand process that can be taught in a classroom and that it is an absolute requirement that a justice of the peace understand and be able to work with those. If they cannot complete such a training program, they simply should not be justices of the peace. That should be in this legislation.

Professor Mewett and the Canadian Bar Association both say that, in order to keep on top of a changing legal world, justices of the peace should be required to complete a continuing education program. Once again, and Professor Mewett goes to great lengths to point this out, the education program the justices of the peace receive now is sometimes by accident, some-

times through the generosity of the local crown attorney, sometimes through the generosity of a provincial court judge and sometimes not at all. It would be very simple to include an amendment that the Justices of the Peace Review Council shall establish an ongoing continuing education program which the justices of the peace shall follow.

Finally, there are questions of recruitment to the position of justice of the peace. Professor Mewett makes the point, and the Canadian Bar Association agrees with him, that the whole process of recruitment and appointment should be opened up. In fact, if we really believe in an independent judicial system, if we really believe that the justices of the peace should be perceived to be independent of the government of the day and to be independent of politics, then the recruitment process, by law, should be an open one and we should advertise for justices of the peace. There should be an established system set out whereby the review council conducts interviews and then makes recommendations with reasons to the Attorney General.

If these measures were included in this bill, we in this party could and would say that we would support the bill without any reservations, because we believe that we would then be putting in place a very firm foundation for the selection, appointment, training and employment of justices of the peace who truly understand our legal system and who are truly prepared to work within it and are truly given the proper tools to work within it.

I ask the parliamentary assistant to consider bringing some of these amendments to this legislation so that when we get into the finer consideration of it later on, we can support it wholeheartedly. At this point, we support it in principle, but there is a lot lacking which should be there and which, as Professor Mewett points out in his report, could easily be there if the government had the will to do it. I encourage the parliamentary assistant to speak to the Attorney General and, hopefully, bring in amendments which reflect some of the inadequacies that are still left in this situation.

1740

Mr Sterling: I would like to indicate at the outset that we will be supporting this bill. It is my understanding from the parliamentary assistant that we will be asking for this bill to be considered by the committee of the whole House at some future date and that he has under consideration some amendments to the legislation as put forward on 6 January this year.

I am anxious to get on with reforming this legislation dealing with justices of the peace. It has been a long time coming and, therefore, I had asked the government House leader that this legislation be brought forward at this time. I think the member for Rainy River (Mr Hampton) from the New Democratic Party has put forward many of the arguments that I was about to put forward with regard to the Mewett report.

I would hope that during the committee of the whole House consideration and after we have had an opportunity to view the amendments put forward by the parliamentary assistant for the Attorney General, we will be able to perhaps deal with some of the issues which were left out of Bill 93 but which were included in the Mewett report.

One of the matters that I would like to have clarified perhaps, though, is that under our present system—albeit overly complicated and hard to understand by the public and therefore bringing us to support this legislation in general—I would like to have the parliamentary assistant for the Attorney General assure me that those people who will be serving as part-time justices of the peace after this act comes into force will be properly compensated for the actions that they take.

I think it is important that we maintain the flexibility and the co-operation of part-time justices of the peace, as many of them are available at times when full-time justices of the peace may not be available. I am talking about in the middle of the night on Saturday, early Saturday morning or Sunday morning when warrants have to be sought and have to be signed by a justice of the peace.

Quite often it is necessary for police to call several justices of the peace in order to find a justice of the peace whom they can go and appear in front of. Therefore, I think it is necessary for me to obtain some assurance from the parliamentary assistant that these people will be properly compensated so that we can ensure that they will continue to serve in a part-time manner.

We are pleased to support this legislation in general, which I think brings some badly needed reform to the system. We will be anxious to see the amendments of the parliamentary assistant in the committee of the whole House and will probably be bringing forward amendments ourselves to widen the scope of Bill 93 to be more coincident with the Mewett report.

Mr Callahan: I have to be very cautious in what I say, because, as chairman of the standing committee on administration of justice, I very

infrequently get an opportunity to say anything other than to keep the members in order.

[Applause]

Mr Callahan: There seems to be a lot of applauding about that, but the reason I want to speak to this bill is that over the 26 years I have practised law, I have had a great passion for justice and I suggest that the introduction of Bill 93 by this government is a very dramatic step forward towards ensuring that the old adage that justice is not only done but appears to be done is carried out.

In the past, I am sure the system of fee justices of the peace was honoured by those men and women who exercised that role; but in some areas I am sure that there were members of the public who perhaps had some concern when the income of justices of the peace—whose responsibility is by no means minuscule but a very significant one, a sacrosanct one: to swear out search warrants, to swear informations which start criminal proceedings, to issue summonses—was based upon how many they could sign within a regular period of time and thereby increase the amount of money they would make.

In fact, I can recall in 1985 when we were reviewing the estimates of the Ministry of the Attorney General that there was one justice of the peace who was a part-time justice of the peace or a fee justice of the peace who made \$90,000 in one year, and that was only his part-time income. I submit to members of the House, that the effect of that—and I suppose there was some significant press about it—creates the image in the eyes of the public that it is a piecework project. Surely that is not the image we want to create in terms of our justice system. I think our justice system is sacrosanct. Once it loses any credibility in the eyes of the people, real or perceived, then our liberties in totality are jeopardized. So I support the bill.

I also would like to say that the differentiation between presiding and nonpresiding justices is an excellent balance. Again, I am sure people who are in an administrative capacity are fine people and will attempt to do their jobs in the best way they can. But the perception of members of the public is paramount, that they not be confronted with a situation perhaps where a justice of the peace in an administrative capacity finds himself or herself carrying out a duty with a person who may subsequently appear before him or her in court, if he or she was in fact going to walk from that position right into the court to hear a case. So I suggest that is eminently fair and I think it serves our justice system well.

The other instances, too, are that quite obviously we are served with a very significant and very worthy justice system in this country, both by our police and by our courts. But going back to the question of a person who is a fee justice, there may very well be a real perception by the public that there is some degree of camaraderie arranged between him and the police. I am sure that is not the case, but the perception could be there. I think that for the purposes of preserving that desirability of making certain that justice is, as is pictured in the images that we see, blind, there is no connection in that regard.

I did not have an opportunity to speak to Bill 93, but by way of general representation of that and in view of the fact that I, as chairman of the standing committee on justice have to remain mute, I would like to say that to see a government that is moving ahead is, to me, worth having run for this Legislature on four occasions. Not only a government; I applaud the members of the opposition parties. It is interesting to see that on an issue of justice we can have, at least in terms of moving second reading, a degree of nonpartisanship and I think that augers well for the people in this House.

What it says is that, although we can have our partisan spats on other issues, when it comes to the question of justice we are all, in an equal vein, concerned about it, perhaps in different fashions, and maybe there will be suggestions by members for amendments. But what we do is we say that for the people of Ontario justice is important. It is important that we maintain its integrity and it is important that we maintain its image.

I suggest that the first phase of the efforts of the Attorney General towards court reform—it is interesting to understand that it has been more than 100 years since that was done before. Much of the court presentation and the court formation was done in the light of 1867 when the Fathers of Confederation could have absolutely no idea what things would be like in 1989. As a result, the implementation of part 2 of the legislation should take on a very significant review of the question of where we are today in 1989 in terms of justice. Is justice something that is confined by provincial borders, is it confined by objects of jurisdiction or is it justice for everyone in all terms?

I suggest to members that the assistance we may have in trying to convince or to carry out conversations with the people in Ottawa is that we have to look towards a situation where people

are not required to go to four or five courts for a single remedy. I am sure that any member of this House who went through law school, or even who is practising in the courts, found that it was significantly difficult to determine under two rules—and I cannot remember what the numbers were—whether you went to a master, a judge, a judge in chambers, a Divisional Court or the Supreme Court. Half of the time you spent the majority of your time in research trying to figure out what court you went to. The statutes were very unclear because they referred to a judge and the judge could be anything, could be of any jurisdiction.

In fact, it got to the point where, with all due respect to the court system, if you appeared in weekly court and you were supposed to be before a judge but you wound up before a judge sitting in chambers, you had to adjourn the case and go out and get your gown and go to weekly court. To me, that is a disservice to the public because every time a person representing a litigant is required to take further time in court, that costs that litigant money. If there is anything that will maintain our freedom, in terms of Canada as a whole and perhaps the world as a whole, and also maintain the integrity of the justice system which is meant to serve people, it is if we can keep the costs down.

1750

I suggest that the former system needed revamping, and I applaud the Attorney General and this government for having taken those steps.

The final item I will speak of is the question of the Small Claims Court increase. I think it is something that is worthy of being done. I have had great accolades from people in the community, not just people who are involved on a day-to-day process in terms of earning their livelihood, as one might have expected, but from the general public as a whole.

People were in fact being shortchanged in the past. If they had in fact a \$1,500 claim, if they wanted to proceed through the Small Claims Court—or the Divisional Court as it used to be called—provision, they had to in fact forgo \$500 of their debt. In essence, that it not fair to people either. Or, in the alternative, if they wanted to collect the full \$1,500, they had to proceed through the then-county court, today district court.

That was a tremendous expense; tremendous time was consumed in doing that. In fact, I think in a significant way it created a backlog and a clog in our system that, again, caused great delay for litigants, great delay for people who were in

fact wanting to be tried to perhaps retain their freedom or get their freedom returned to them. So, in fact, we created a system that, by its very nature, because it was not reviewed and because of its technicality was, in fact, instead of expediting justice, delaying justice.

If there is one proverb, I guess, that all of us who practise law know and follow, it is the factor that justice delayed is justice denied. There is no question about that. I have seen instances, and I am sure my colleagues in the House who have practised in the criminal courts have seen instances, where perhaps people changed their pleas or instructed counsel to provide a plea of a different nature simply because of the delay in the court system.

That delay in the court system in a large respect will be influenced by the legislation that is being brought forth by this government.

Hopefully Ottawa, which at the present time appoints section 96 judges, which always blew my mind—I could never understand why there was any differentiation, but I guess that is 1867 again—in fact would look at it in terms of creating unified courts to minimize the amount of moving around that the average citizen has to do.

I think, in the final analysis, with this type of legislation being brought forward, it will create a system that is fairer not just to those people who have need for the courts immediately, but it will be fairer in the eyes of all Ontarians, all Canadians, and in fact will create a respect for the law which, as we look around the world and look outside of our own jurisdiction, we see that in fact the law is held in disdain in other areas where justice is either denied or appears to be denied.

So I would hope that this legislation will be carried through quickly and that we will be able to advance to the stage of having co-operative efforts with our federal colleagues in terms of having a unified system.

Having said that, I will go back to my normal rock where I am during the standing committee on administration of justice.

Mrs Cunningham: I just want to agree with the comments of the member for Brampton South (Mr Callahan) and to say that our party has had a lot of input from justices of the peace around this particular piece of legislation, and generally they are quite pleased with the bill.

They are very happy with the different levels of authority that are being established here in a much cleaner system, as they put it. They think that the bill will allow for justices of the peace to be more professional in their outlook of their

responsibilities. They are happy with the salaries—that particular format of remuneration.

They do ask us, though—and I would ask the government to respond to this request, if it could—if in fact the government will be putting forth any amendments, that we could have them as quickly as possible and therefore they could have them as quickly as possible, so there would be an opportunity for input around those amendments before consideration of the bill in the committee of the whole House.

The Acting Speaker (Mr M. C. Ray): Other comments? The member for Carleton.

Mr Sterling: I just want to say, as I expect that we will be voting on second reading very shortly on this bill, I had a brief discussion with the member for Welland-Thorold (Mr Kormos), who had to leave the Legislature at this time.

Perhaps on his behalf—although it might seem odd, in that he is of course a member of another party—I just wanted to say that he was very much concerned with the fee-paid justices of the peace who have served this province for a very long period of time. I believe I also echoed the concern about that.

I would hope that the parliamentary assistant for the Attorney General either can assure us now or during the committee of the whole House which will follow, I suspect, in one, two or three weeks' time, as to how these people are being compensated for the loss of income which is going to result when Bill 93 becomes law and these people are stripped of a source of income.

Some of them have served the people of Ontario for a long period of time and it was his feeling—and I agree with that feeling—that there should be some method of compensation or some recognition of this long term of service.

The Acting Speaker: Are there any other comments? Would the member for Brampton South care to reply?

Mr Callahan: No, I think I have said enough, Mr Speaker.

Mr Offer: As I indicated at the outset, this bill represents a major, substantive and long-needed reform in the administration of justice in dealing with a fundamental restructuring of the justice of the peace system. I would like to thank the members participating in the debate today for their support in principle on this legislation and to indicate that we will, at the very first opportunity, provide those amendments, as has been our custom in the past, to members opposite for their consideration.

There has been discussion, in terms of education and compensation in terms of the justices of the peace. Through this legislation there is the establishment of a co-ordinator who will be charged with the responsibility, first, of educational programs and policies in dealing with justices of the peace throughout this province, and second, of conducting an examination in terms of the compensation question, when one moves from a system based on fee to one based on an hourly or other kind of rate.

We believe this is an important and necessary improvement in the justice of the peace system of this province and we are secure in our knowledge that it shall serve the people of this province in a matter befitting their anticipation as to what the justice system of the province should and ought to be.

That is what these amendments are designed to accomplish. I thank the members for their support in principle on this legislation.

Motion agreed to.

La motion est adoptée.

Bill ordered for committee of the whole House.

Le projet de loi est déferé au comité plénier de la Chambre.

Hon Mr Conway: We have had a very productive afternoon, with the help of all honourable members, and I want to congratulate my colleagues for such an expeditious dealing with so many important matters of public policy.

Mr Sterling: We did that with the old rules.

Interjection.

Mrs Cunningham: Just think the old rules are still working. We don't need new rules.

Hon Mr Conway: I just want to say to my very close friend the member for London North (Mrs Cunningham) that I am always pleased to have her in the House because she adds a very, very salutary effect, particularly upon the member for Carleton (Mr Sterling).

As we are drawing very close to the normal adjournment time, I think it would be unwise to call another order, so I would be quite happy to simply have the House adjourn.

The House adjourned at 1800.

ERRATA

No.	Page	Column	Line	Should read:
23	1195	2	45	lady by the name of Julie Kaulback, age 16, and her mother, Jackie Kaulback, age 39, were
23	1195	2	50	On 21 February, Julie Kaulback died. On 24 March her mother, Jackie Kaulback, died. Both
23	1196	1	33	people of Guelph, and indeed the Kaulback

ALPHABETICAL LIST OF MEMBERS*
(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

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| <p>Adams, Peter (Peterborough L)
 Allen, Richard (Hamilton West NDP)
 Ballinger, William G. (Durham-York L)
 Beer, Charles (York North L)
 Black, Kenneth H. (Muskoka-Georgian Bay L)
 Bossy, Maurice L. (Chatham-Kent L)
 Bradley, Hon James J., Minister of the Environment (St Catharines L)
 Brandt, Andrew S. (Sarnia PC)
 Breaugh, Michael J. (Oshawa NDP)
 Brown, Michael A. (Algoma-Manitoulin L)
 Bryden, Marion (Beaches-Woodbine NDP)
 Callahan, Robert V. (Brampton South L)
 Campbell, Sterling (Sudbury L)
 Caplan, Hon Elinor, Minister of Health (Orillia L)
 Carrothers, Douglas A. (Oakville South L)
 Charlton, Brian A. (Hamilton Mountain NDP)
 Chiarelli, Robert (Ottawa West L)
 Cleary, John C. (Cornwall L)
 Collins, Shirley (Wentworth East L)
 Conway, Hon Sean G., Minister of Mines (Renfrew North L)
 Cooke, David R. (Kitchener L)
 Cooke, David S. (Windsor-Riverside NDP)
 Cordiano, Joseph (Lawrence L)
 Cousens, W. Donald (Markham PC)
 Cunningham, Dianne E. (London North PC)
 Cureatz, Sam L. (Durham East PC)
 Curling, Hon Alvin, Minister of Skills Development (Scarborough North L)
 Daigeler, Hans (Nepean L)
 Dietsch, Michael M. (St Catharines-Brock L)
 Eakins, Hon John F., Minister of Municipal Affairs (Victoria-Haliburton L)
 Edighoffer, Hon Hugh A., Speaker (Perth L)
 Elliot, R. Walter (Halton North L)
 Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)
 Epp, Herbert A. (Waterloo North L)
 Eves, Ernie L. (Parry Sound PC)
 Farnan, Michael (Cambridge NDP)
 Faubert, Frank (Scarborough-Ellesmere L)
 Fawcett, Joan M. (Northumberland L)
 Ferraro, Rick E. (Guelph L)
 Fleet, David (High Park-Swansea L)</p> | <p>Fontaine, Hon René, Minister of Northern Development (Cochrane North L)
 Fulton, Hon Ed, Minister of Transportation (Scarborough East L)
 Furlong, Allan W. (Durham Centre L)
 Grandmaitre, Hon Bernard C., Minister of Revenue (Ottawa East L)
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)
 Haggerty, Ray (Niagara South L)
 Hampton, Howard (Rainy River NDP)
 Harris, Michael D. (Nipissing PC)
 Hart, Christine E. (York East L)
 Henderson, D. James (Etobicoke-Humber L)
 Hošek, Hon Chaviva, Minister of Housing (Oakwood L)
 Jackson, Cameron (Burlington South PC)
 Johnson, Jack (Wellington PC)
 Johnston, Richard F. (Scarborough West NDP)
 Kanter, Ron (St Andrew-St Patrick L)
 Kerrio, Hon Vincent G., Minister of Natural Resources (Niagara Falls L)
 Keyes, Kenneth A. (Kingston and The Islands L)
 Kormos, Peter (Welland-Thorold NDP)
 Kozyra, Taras B. (Port Arthur L)
 Kwinter, Hon Monte, Minister of Industry, Trade and Technology (Wilson Heights L)
 Laughren, Floyd (Nickel Belt NDP)
 LeBourdais, Linda (Etobicoke West L)
 Leone, Laureano (Downsview L)
 Lipsett, Ron (Grey L)
 Lupusella, Tony (Dovercourt L)
 MacDonald, Keith (Prince Edward-Lennox L)
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 Mancini, Hon Remo, Minister without Portfolio (Essex South L)
 Marland, Margaret (Mississauga South PC)
 Martel, Shelley (Sudbury East NDP)
 Matrondola, Gino (Willowdale L)
 McCague, George R. (Simcoe West PC)
 McClelland, Carman (Brampton North L)
 McGuigan, James F. (Essex-Kent L)
 McGuinty, Dalton J. (Ottawa South L)
 McLean, Allan K. (Simcoe East PC)
 McLeod, Hon Lyn, Minister of Colleges and Universities (Fort William L)
 Miclash, Frank (Kenora L)</p> |
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Miller, Gordon I. (Norfolk L)
 Morin, Gilles E. (Carleton East L)
 Morin-Strom, Karl E. (Sault Ste Marie NDP)
 Neumann, David E. (Brantford L)
 Nicholas, Cindy (Scarborough Centre L)
 Nixon, J. Bradford (York Mills L)
Nixon, Hon Robert F., Deputy Premier and Treasurer of Ontario and Minister of Economics (Brant-Haldimand L)
Oddie Munro, Hon Lily, Minister of Culture and Communications (Hamilton Centre L)
 Offer, Steven (Mississauga North L)
O'Neil, Hon Hugh P., Minister of Tourism and Recreation (Quinte L)
 O'Neill, Yvonne (Ottawa-Rideau L)
 Owen, Bruce (Simcoe Centre L)
Patten, Hon Richard, Minister of Government Services (Ottawa Centre L)
 Pelissero, Harry E. (Lincoln L)
Peterson, Hon David R., Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)
 Philip, Ed (Etobicoke-Rexdale NDP)
Phillips, Hon Gerry, Minister of Citizenship (Scarborough-Agincourt L)
 Poirier, Jean, Deputy Speaker and Chairman of the Committees of the Whole House (Prescott and Russell L)
 Pollock, Jim (Hastings-Peterborough PC)
 Polsinelli, Claudio (Yorkview L)
 Poole, Dianne (Eglinton L)
 Pope, Alan W. (Cochrane South PC)
 Pouliot, Gilles (Lake Nipigon NDP)
 Rae, Bob (York South NDP)
Ramsay, Hon David, Minister of Correctional Services (Timiskaming L)
 Ray, Michael C., Deputy Chairman of the Committees of the Whole House (Windsor-Walkerville L)
 Reville, David (Riverdale NDP)
 Reycraft, Douglas R. (Middlesex L)

Riddell, Hon Jack, Minister of Agriculture and Food (Huron L)
 Roberts, Marietta L. D. (Elgin L)
 Runciman, Robert W. (Leeds-Grenville PC)
 Ruprecht, Tony (Parkdale L)
Scott, Hon Ian G., Attorney General and acting Solicitor General and minister responsible for native affairs (St George-St David L)
 Smith, David W. (Lambton L)
 Smith, E. Joan, (London South L)
 Sola, John (Mississauga East L)
Sorbara, Hon Gregory S., Minister of Labour (York Centre L)
 South, Larry (Frontenac-Addington L)
 Sterling, Norman W. (Carleton PC)
 Stoner, Norah (Durham West L)
 Sullivan, Barbara (Halton Centre L)
Sweeney, Hon John, Minister of Community and Social Services (Kitchener-Wilmot L)
 Tatham, Charlie (Oxford L)
 Velshi, Murad (Don Mills L)
 Villeneuve, Noble (Stormont, Dundas and Glengarry PC)
Ward, Hon Christopher C., Minister of Education (Wentworth North L)
 Wildman, Bud (Algoma NDP)
Wilson, Hon Mavis, Minister without Portfolio (Dufferin-Peel L)
 Wiseman, Douglas J. (Lanark-Renfrew PC)
Wong, Hon Robert C., Minister of Energy (Fort York L)
Wrye, Hon William, Minister of Consumer and Commercial Relations (Windsor-Sandwich L)

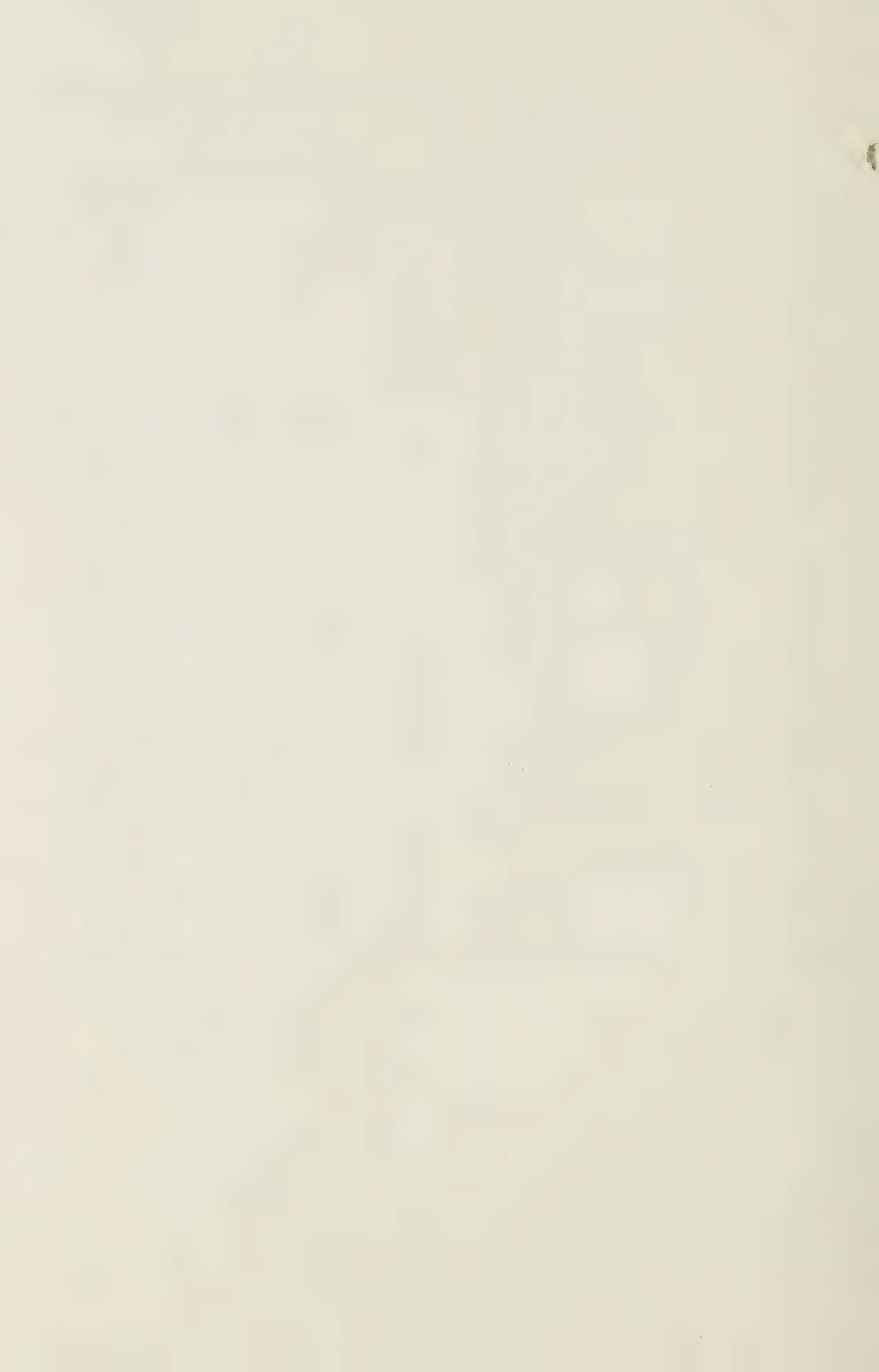
*The alphabetical list of members appears in each issue. Lists of the members of the executive council, parliamentary assistants and members of committees, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

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Hansard

Official Report of Debates

Legislative Assembly of Ontario



Second Session, 34th Parliament
Thursday, 15 June 1989

Speaker: Honourable Hugh A. Edighoffer
Clerk of the House: Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, 15 June 1989

The House met at 1000.

Prayers.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

AVIAN EMBLEM ACT, 1989

Mr Ballinger moved second reading of Bill 27, An Act to designate an Avian Emblem for Ontario.

Mr Ballinger: The Avian Emblem Act, when passed by this House, will make the common loon, *Gavia immer*, the official bird of the province of Ontario. Our province already has a floral emblem in the trillium, a tree emblem in the white pine and a mineral emblem in the amethyst. With the adoption of this bill, Ontario will join the other provinces of Canada and name a bird as its symbol.

The common loon was chosen in a very special way. A contest was held across the province involving schoolchildren between the ages of nine and 11. They were asked to name the bird that they would most like to see as an emblem for Ontario. Incidentally, this was not the first such contest in the province. In 1937, schoolchildren in Ontario were asked to help choose the official flower of the province. Their overwhelming choice back then was the trillium, now the pre-eminent symbol of Ontario and one that I wear very proudly on a pin on my lapel.

In the case of the avian emblem, schoolchildren were asked to choose the bird they thought best represented Ontario. They had to research birds and write a short paragraph giving the reasons for their choice. A few restrictions were put on the contest. The bird had to be native to Ontario and birds that were already emblems of other provinces and territories could not be chosen. Nearly 5,200 entries were received, and 1,150 of those entries suggested the common loon. Obviously, it was the overwhelming favourite.

The review committee overseeing the contest then had the difficult task of finding and selecting one winner. That honour went to Matthew Conroy from Walden, southwest of Sudbury in the riding of Nickel Belt. In his winning submission, Matthew wrote:

"We live on a lake, and in the summer we spend time fishing and canoeing. That gives us a lot of chance to hear and see the loons. I love to see them when they have their little loons with them. On land they look so funny when they walk. When we are fishing or tenting, the call of the loon makes me tingle all over.

"I looked up some interesting things about loons that would make it perfect for our official bird. It is the most ancient of Canadian birds. The loon is deliberately designed as a fish-catching machine, and Ontario has lots of lakes and fish. They are a big and impressive black and white bird that almost everyone recognizes when they see it, and certainly when they hear it.

"My dad says that they could be killed by acid rain, since the pollution kills the fish that they eat. Maybe if we use the loon as our bird, it will help fight this pollution."

Matthew writes, "I hope the official bird for Ontario becomes the loon." Those are Matthew's own words and reasons for picking the loon as an emblem for this great province.

As Matthew stated, the loon is one of the ancient birds native to Ontario. Many native people use the loon as a symbol and it has a central place in their mythology. Some native legends credit the loon with helping to create the earth. Others give special magical powers to the bird. One legend has it that the unforgettable cry of the loon is the echo of the call of a dead warrior looking for his beloved; yet others say the loon's cry is the voice of slain warriors calling back to the land of the living. As already mentioned, native peoples in this province used the loon as a symbol for centuries. The combination of the bird's beauty, its grace in the water and loyalty to its mate were qualities that were sacred to them.

It is fitting that we now adopt this wonderful bird as a symbol of Ontario. Few in this province are not familiar with the loon. We know its cry as it echoes in our wilderness. One of the runners-up in the contest, Erica Fowlie of Deep River, was inspired by the cry of the loon and wrote this poem:

"The loon is my choice,
Mostly because of its voice.
He's one of Ontario's most ancient birds,

Whose wild yodelling by early explorers was heard.

His call chilled their blood in the dead of night,
But he mocked them by laughing at dawn's first light.

He's found throughout Ontario's rivers and lakes,

His black and white plumage a chequered picture he makes.

This powerful diver winters on coastal seas,
As well as the Great Lakes in Ontario, if you please.

Back home in spring comes our wandering loon,

His haunting call we will hear very soon.

On the Canadian coin for all of us to see,

This bird I do love and is special to me.

I am sure many have, as I have, sat on a dock or by the water of a lake and watched the loon. The bird dives and you sit and try and guess where it will surface in the lake. I am sure many others have been fortunate in seeing a mother loon carrying her young on her back, gracefully floating through the water. This is a symbol of our wilderness, and a fitting symbol for our province and our natural resources.

Joseph Kennedy of Kingston, another runner-up, also had this romantic view of the loon:

"It's early morning; the lake is calm. You step into your canoe and paddle a few strokes. The canoe is the only thing disturbing the water, except for the wonderful loon. It looks at you and quietly swims away."

Joseph continues:

"The first ones to notice this bird were the natives of Ontario. They put it in legends and decorative pieces. One legend is the loon's necklace. The loon's cry is very famous as well. It has a long, lonesome cry like a wolf's howl. It also has a short, happy call like a person who is out of breath from laughing.

"The Cree word for loon is 'makwa.' This name seems to mimic the bird's call. The loon is a very ancient bird of Canada, and so it has been around here for a very long time."

Joseph loves to listen to the loon at his cottage or when he goes fishing.

1010

In fact, the loon is such a great symbol that two of the province's largest conservation groups, the Federation of Ontario Naturalists and the Ontario Federation of Anglers and Hunters recently have chosen the loon as their emblem. They no doubt agree that the sight and sound of a loon truly represents the wilderness of Ontario. I am sure

they also see the loon as a symbol of conservation and concern for a quality environment.

Loons are also popular. Loon memorabilia such as carvings, T-shirts and paintings are among the most popular items bought in tourist stores in Ontario and even on the downtown streets of Toronto. In fact, the Leader of the Opposition (Mr B. Rae) is known to have an extensive collection of loon souvenirs. I am sure he favours this designation for our avian emblem.

I would like to tell members a bit about the common loon, the bird that I hope will soon be our avian emblem.

The common loon, whose scientific name is *Gavia immer*, is a member of one of the oldest families of birds. They have been around for some 20 million years. The lifespan of the loon is approximately 15 to 20 years. Both male and female loons have identical markings which are a glossy, black head, a black and white necklace and a chequered back. They are really magnificent birds.

The loon is made for water. It is heavy and muscular with a torpedo shape that can dive to a depth of about 30 metres and can spend a fair amount of time submerged under water. A loon's webbed foot is about the size of an adult human's hand. This enables it to swim gracefully and quickly in the water. The feet are positioned at the back of the body for streamlined, effective diving. This makes the loon a bit clumsy on land where it spends very little of its time.

Most birds have air-filled bones to make them light; the loon, on the other hand, has heavy, solid bones that make diving easier. As a result, loons need a run of up to a quarter of a kilometre to get into the air. However, once they are airborne, loons can reach speeds up to 100 kilometres an hour. They are extremely fast.

Loons are extremely loyal to each other as well, and they stay very loyal to their mate but will remate if one dies. Although the loon may be an ancient bird, it does have a bit of a modern outlook, since mates tend to winter separately; they take separate vacations, so to speak. But when they return north in the spring, both members of a pair immediately find each other in the traditional nesting lake they left from.

They are extremely devoted parents. One or the other of the mates will watch over the nest consistently during the incubation period. When the chicks are hatched, they hitch a ride on one of the parents' backs until they become self-sufficient.

Loons have been around for countless millennia. They are one of nature's real success stories, but over most of those millions of years they did not have to fight humans and the pollution that humans have left behind.

As Matthew, the winner, said, loons could be killed because pollution such as acid rain kills the fish they need.

Not only do pollutants kill fish but they also foul up the water. The loon needs clear water to see the fish it needs for food. If there are no fish to eat or if it is difficult to see them, many, especially the young ones, starve. An overly curious canoeist or boater can frighten off a nesting loon and cause it to abandon its eggs and affect breeding patterns.

Loons are clumsy on land so they build their nests right by the shore. The wake from one power boat can cause damage to a nest by flooding its contents. As more and more of our lakes are developed, loons are driven out or fail to reproduce because of nest disturbance. They do not like to nest near human habitation.

By choosing the loon as our avian emblem, it will become more than a symbol of our province; it will become the symbol of determination to keep our land and our natural resources clean and healthy so that they, like the loon, will survive for millions of years.

Another runner-up, Chris Murray of Owen Sound, wrote this bird represents clean water and a clean environment:

"The loon is well distributed throughout the province of the inland lakes in the spring, summer and fall. It is well recognized by its distinct call across the province. The loon is sensitive to a clean environment and by having it as a provincial symbol, helps people understand the need to improve our natural environment."

Jeff Birch of Rideau Heights, another runner-up, also noted that the loon is an ancient bird:

"It has been around for thousands of years. The Cree believe that the loon's cry was the voice of slain warriors calling back to the land of the living. I think we should have it as our bird because Ontario has many, many lakes and almost everyone has seen or heard a loon." Jeff ended his letter by stating, "It is a pretty bird and Ontario should be very proud of it."

Charlotte Lillian Matz of Bluevale, another runner-up in the contest saw the loon as a perfect symbol for Ontario:

"I choose the common loon as Ontario's official bird because it stands for Ontario's meaning. Ontario is an Indian word that means 'beautiful water.' The loon is big and powerful

like the province of Ontario. It is easily recognized by its large size, call and distinctive black-and-white colour. People who seldom notice other birds often know of the loon. The call of the loon makes you think of lovely, peaceful water and nature."

These children and many others feel that the loon will be the best emblem to show this concern and love of our land. With the passage of the Avian Emblem Act, the common loon will become an official symbol of Ontario. It will not only be a symbol of our great wilderness, but will become the symbol of our concern and dedication to maintaining this wilderness not only for ourselves and our children but for countless generations to come.

Mr Morin-Strom: I am pleased to support this bill as presented to the Legislature today asking that the loon be named the official bird of the province. This is an initiative which has really come from a grass-roots level, in that a province-wide contest was held asking children to submit their recommendations in terms of which bird should be selected as the symbol of Ontario. I think it is indicative of the concern and care that residents of the province, particularly children, have for the loon that it has been selected as the bird for the province.

I know that for those of us from northern Ontario, particularly those who have spent many years in cottage country, the sound and the sight of the loon, particularly at dawn or in the early morning, are one of the most wonderful experiences that we can all experience in our magnificent province. The loon is truly a symbol unique to our northern woodlands, one that brings fond memories to me and to many of us, particularly from northern Ontario, who have spent many summers at lakeside. This bird has really been a symbol of the wilderness that we all want to promote in northern Ontario.

The loon has been endorsed as an appropriate symbol for the province by a number of other organizations as well. For example, the Ontario Federation of Anglers and Hunters has strongly endorsed this selection. I quote Doug Ogston, past president of the OFAH, who says, "We are delighted with the selection and we know the Ontario public shares our views that the sight and sound of the common loon symbolize Ontario wilderness."

It is also interesting that the same organization had itself selected this magnificent nongame bird as its official logo in 1987 to symbolize its conservation efforts because the loon is so sensitive to environmental change. In many areas

of North America, particularly in most states in the United States, the loon has either disappeared or is on the verge of disappearing, with extremely low numbers left. This has been primarily the result of environmental damage and, in particular, acid rain. It has caused decimation in Ontario as well. However, we are fortunate to still have reasonably sized populations throughout our province to this day.

1020

However, concern has to be expressed regarding the future of this bird and many other species of wildlife in Ontario with respect to their future if further controls on our environment are not implemented in the years to come. The breeding success of this bird has been particularly hurt by acid precipitation in our northern lakes, but we are hopeful that controls and regulations on levels of acid rain—and, hopefully, with significant progress to be made in the United States as well—will lead to further recovery of this important symbol of wildlife not only in Ontario but in other regions of North America as well.

As well as supporting this initiative today, I would like to express some concerns with respect to the priorities this government has when it comes to our natural resources. This bill was presented by the member for Durham-York (Mr Ballinger), parliamentary assistant to the Minister of Natural Resources, and I suppose this gives an indication of the level of interest and the priorities this ministry has concerning initiatives with respect to our resources in the province.

Unfortunately, the ministry with which the parliamentary assistant is involved does not have the funds to be able to undertake new initiatives to improve our resource base in the north, both when it comes to natural resources and the wildlife resources as well. We wish this ministry could come forward with substantive legislation and action for Ontario but unfortunately, in the most recent budget, the ministry's budget was slashed quite considerably. It was the only ministry in the province to have a reduction in its budget, a reduction of \$15 million, which certainly does not indicate a level of support for the development and encouragement of both our wildlife and other natural resources in Ontario.

This three per cent reduction in budget, while most ministries were receiving inflationary increases in the range of five to seven per cent, really indicates this ministry is losing its capability to manage all the resources in the north. This ministry has not been able to take the actions needed to protect jobs in northern Ontario. We have lost 1,700 jobs in the forest industry; in

particular, in the lumber section of that industry where this government has not been able to do anything with respect to the 15 per cent export tax that was imposed. We have already seen 1,700 job losses.

In the ministry itself we see serious job cuts under way. When it comes to forest firefighting, the sizes of crews in northern Ontario were cut from five-man crews to three-man crews, resulting in a loss of more than 200 jobs. I think approximately 230 jobs have been lost in our forest firefighting crews and we certainly have to hope this is not going to have serious consequences for our northern forests during the fire season this summer.

When it comes to reforestation, this ministry continues to be totally inadequate in its initiatives to protect our northern forests and, in particular, to regenerate those forests that are being used. The replanting of our forests continues to be well below the levels at which they are being cut down, and this has to be a serious concern for the future of all of us, particularly in northern Ontario.

As well, when it comes to protecting our natural environment, this ministry really has not done the job it should have in terms of protecting wilderness areas and developing and expanding our provincial parks. The Temagami example, I suppose, is the worst illustration of this government's utter incompetence in being able to protect a very valuable portion of our northern heritage for future generations, a case where not only have those resources not been protected, but also the very valid and serious claims on those lands from our first peoples, the native population of that area, have not been respected at all by this ministry.

I think there is a lot that has to be done with respect to this ministry. This ministry has not been getting the budget it needs to carry out what its real mandate is, which is to protect and provide for resources for Ontario and the protection of our wildlife and natural wilderness beauty.

The loon is an important symbol. It has been a symbol to residents of Ontario who have enjoyed our wilderness areas. I would hope that this ministry takes the action needed so that the loon can be not only a symbol but also actually a flourishing and expanding one, so that more and more of us throughout the province can enjoy that wonderful sound in the early morning at dawn.

Mr Cureatz: As we stagger forth at 1027 in the morning, with the public galleries thronging with interest and curiosity as to what is taking

place, I want to take a little different tack in terms of the—

Mr Wildman: I thought you were for seagulls, not loons.

Mr Cureatz: Exactly, and that is why I want to take a little different tack, or might I say flight, in terms of the proposed bill that is before this assembly.

With the limited time that I have, and unaccustomed as I am to speaking, I want to bring to members' attention, if I may, a quote. This is really good. All the Liberals backbenchers over there, especially the two ministers way at the back, will appreciate this. Listen to this; this is a good one: "I read the bill in its entirety and was somewhat puzzled by it." Then:

"Ontario has had more than its share of trouble, more than its fair share of unemployment and of all the other ills we have suffered in this province over the past few years. It surprises me that when a colleague from...Ontario brings forth a bill in the Legislature the most important thing the bill addresses itself to is regarding a bird."

Continuing on: "I am well aware of who proposed this bill." It was a member of the House. Now, one would ask, who of the learned colleagues who have participated in these chambers in the years gone by would take on such a nasty attitude about a piece of legislation concerning a bird? Do members know who?

Mr Ballinger: Tell us.

Mr Cureatz: This is great. One Don Boudria, back here in 1983 in the Legislative Assembly when he sat there and I was Deputy Speaker—I have got the Hansard right here—when my friend and colleague the member for Hastings-Peterborough (Mr Pollock) brought in the legislation proposing the blue jay to be none other than the official bird. Do members know what we got from the rascal Liberals back then? Condemnation. Do members think I would do that? Do they think I should do that?

Interjections.

The Deputy Speaker: Order.

Mr Cureatz: Let me just read on. This is really good stuff. I really like this quote; this is just terrific. Just sit on the edges of your seats up there, the four, five, six or seven of you in the gallery. This is really great stuff.

The Deputy Speaker: The member will address his remarks through the Speaker.

1030

Mr Cureatz: Mr Speaker, here is another quote. I forget the date—let me take a peek. Yes, 24 November 1983, six years ago.

"Notwithstanding my personal liking for the member for Hastings-Peterborough and my support for the principle of Bill 67, surely we as eastern Ontarians—particularly, as my friend from Stirling will know," that was Norm Sterling way back when he represented the other riding, "...have more pressing concerns on our public agenda."

Continuing on: "I thought we might have had a ballot item today dealing with the matters of urgent and pressing concern that affect so many farmers."

Mr Ballinger: Who said it?

Mr Cureatz: You know who said that?

Mr Ballinger: No, who said it?

Mr Cureatz: The drum rolls: none other than one of the four pony people of the calamity.

Mr Ballinger: I bet it was Nixon.

Mr Cureatz: No, it was not Bob Nixon—it was not the Treasurer. It was not the Attorney General (Mr Scott); he could not get himself elected way back then; he had to try two or three times. Nor was it the esteemed now Premier (Mr Peterson), when he was the Leader of the Opposition. Who does that leave?

Mr Ballinger: We do not know.

Mr Cureatz: None other than the House leader, Sean Conway, who stood up and condemned my colleague way back then about wasting the assembly's time bringing in legislation about what the official bird of Ontario should be. That is what he said. Do the members see me making such condemnations? Do they? That is the kind of attitude that is over there in the Liberal government; when they were the opposition, the Liberals would not tolerate such items, but you do not see that taking place.

I do have one or two thoughts and concerns about whether it should indeed be the loon. I was wondering if it should be the chicken, because we had the opportunity of spending time on Sunday shopping, and my friend and colleague the honourable member for Cambridge (Mr Farnan) continually said this government is taking the "chicken way out" on Sunday shopping.

What about the duck? That would be a good one for this nasty government, because they are ducking the issues.

How about one of my favourites? I call it the seagull. I was reprimanded by the member for Peterborough, who said there is no such thing as a seagull; there is only a gull. Whatever the case is, maybe in terms of the recognition of the fact that the gulls are all over the province—more

particularly, this government, through the Minister of the Environment (Mr Bradley), has yet to do anything about the garbage crisis in southern Ontario and we have not yet seen what his overall plans are for solving the garbage crisis. Maybe it should be the gull.

What about the buzzard? I like the buzzard, particularly since the Treasurer, Bob Nixon, brought in that new budget that picks the bones of the taxpayers of Ontario.

I really like this one. How about the ostrich? The ostrich would be symbolic of the cabinet, which buries its head in the sand over the great issues that are concerning the people of Ontario. I was really worried, I say to my friend and colleague the member for Durham-York.

Mr Ballinger: Don't call me your friend.

Mr Cureatz: We are all cognizant of the red tie and how proud they are. I thought it might have been the red-winged blackbird. How about the red-headed woodpecker or maybe the cardinal?

Mr Wildman: Or the yellow-bellied sap-sucker?

Mr Cureatz: In connection with my friend and colleague the member for Algoma, I was thinking of an issue more up to date. How about the starling?

And how about, as time progresses on, the way this government is performing now that we are in the final two years of operation, maybe it should be the swan, in recognition of this government's swan-song that is taking place.

The poor loon always seems to be in second place but winds up winning. I remember my friend and colleague the member for Algoma stood up and in a very impassioned speech indicated that the metal dollar coin was supposed to have a canoe on the back, but they lost it—where else?—in the mail. So they had to scurry around—I think the artist is from the member's riding—and they came up with the loon on the dollar.

I was thinking I would rather have it be called a loonie than a canoeie. But, once again, the loon was second best and winds up first.

How about when my friend and colleague the member for Hastings-Peterborough brought in a similar act which proposed the blue jay on 9 June 1983? It met with some repercussions, none other than from Prince Edward Island, where officials said the Ontario bill should be shot down. "PEI declared the blue jay its official bird six years ago." I guess that is nine years ago now. "The bill has passed first reading in the Legislature." That was here. "Yesterday, sur-

prised officials from the island said they were unaware that Ontario was aiming to take their emblem.

"It sounds like we've got a conflict here," said PEI government spokesman Frank Arsonel. "If Ontario will give all islanders free tickets to see the real Blue Jays, they might be able to settle the issue."

Lo and behold, we could not get the blue jay to be the official bird emblem, and now, second best again, it is the loon. Time marches on. I happen to have come across a book by Terry Degler. That is D-e-g-l-e-r, to all the fine Hansard people who are always phoning me and asking, "How do you spell those fancy words you always say, like 'churkel'?"

Here is what Terry said in *Straight from the Horse's Mouth and Other Animal Expressions*:

"To anyone with a little imagination, the cry of the loon at nightfall on a lonely lake sounds very much like the laugh of the proverbial madman. Indeed, this is the image that most of us have, somewhere in the back of our minds, when we use the word 'loony,' especially when we tell someone, just in jest, that he belongs in a loony bin."

My friend and colleague in his own way expressed, during the time period that he had, along with my friend and colleague from the official opposition, the member for Sault Ste Marie (Mr Morin-Strom), the maybe more serious aspects of bringing forth the legislation concerning the loon and why it should be the emblem of Ontario.

Let me just conclude by saying there is another aspect, as indicated by this author's thoughts and concerns and serious investigations about where we get expressions from animal behaviour. If it is, as she has said, that it sounds very much like the laugh of the proverbial madman, all I can say is, what more appropriate place than in these sacred halls, from all of us fine politicians, to approve the loon in Ontario as our official emblem.

Miss Roberts: I am pleased to stand today and speak in support of the bill, and I am very pleased to follow my honourable friend from that area that is known as Durham East, because he gives a new dimension to the loon and to his particular position with respect to an emblem.

He shows that there are two sides to this particular bird and that there are two sides to any animal or person. I think it is very important that we recognize that. I also think it is important to hear another view from someone who has been here for a period of time and we always enjoy the

great oration of the member for Durham East (Mr Cureatz).

I would like to point out a few things that are extremely important for the rest of us to consider today. One is the economic impact of having an emblem. Whether that emblem is the loon or anything else, it is important that we know that it is going to become a very important feature in our communities.

Members will note today that I am wearing particular earrings and those earrings are loon earrings and they were made in Canada. They provided jobs for people in Canada and I am proud to wear those earrings.

I think it is important to look at the process that we used for choosing this particular emblem, whether it is the blue jay, which has already been chosen by another province, or whether it is the loon. The process to choose the loon was to use the schoolchildren in Ontario. We did use their input and the loon was chosen above more birds than any other in Ontario. I know that the children in Elgin enjoyed participating in that process and putting forward the names of birds to be looked at.

I think the other reason that the loon is an appropriate bird emblem for Ontario is that indeed this bird has been in Ontario for millions of years. Although the bird itself is in the northern part of Ontario or mainly in the northern part, we in the south still support it. Contrary to popular opinion, we in the south at certain times do go north and enjoy the opportunity to hear and to see the loon.

I do not know if it is correct to describe it as the laugh of a madman. I often have heard it described as the laugh of a madwoman as well. We can certainly look at it both ways, but it certainly is a cry that is known in Ontario.

I am going to be very brief in my comments today, because the honourable member for Sudbury (Mr Campbell) also wishes to speak concerning this. I would like to just point out that indeed the use of the loon as an emblem will bring pride to many of the people in Ontario. I also think it is important that we, as legislators, make the choice. We must go ahead and develop this particular emblem.

1040

The honourable member for Durham East made some comment that it might be another type of bird, or other birds for other reasons. I think it is important that even he realize there is a necessity to have a bird emblem. I believe that bird emblem should be the loon, as brought forward by the honourable member for Durham-

York. Two people so close together seem to have different views on this bill. Maybe they are close together on other points, but on this particular view they are not.

The importance of the emblem to Ontario will be seen in the future. The fact that the trillium was chosen many years ago has certainly been an important adjunct. The fact that the loon is going to be chosen now will have impact in the future. I think the point brought up about the conservation of lands and of wetlands is extremely important. I think the fact we look to the loon as a barometer for our conservation is very important as well.

I hope we understand exactly what is occurring today in choosing the loon. The other thing I find extremely important is that we must take the step whether or not there is other important legislation. That will be heard at other times. This is a private member's bill to be brought forward to choose a particular bird and I support the loon. I know we in southwestern Ontario support it as the official bird emblem for Ontario. I will give the rest of my time to the member for Carleton (Mr Sterling) or other speakers.

Mr Wildman: I think it is really appropriate that we be discussing this morning in this House what my friend the member for Durham East in full flight referred to as a "loonie debate." I am not sure how many members here realize what this location at Queen's Park was before it was a Legislature. For those members who are unaware, it was a lunatic asylum, which I have always thought was very appropriate considering what we do around here most of the time.

To now be choosing an avian emblem and to choose the loon as that emblem, I suppose is very appropriate for us in this assembly. I am wondering, though, if it is an omen because in choosing the loon it reminds me of earlier debates. My friend the member for Durham East referred to the famous or infamous debate about the blue jay, and we all know the fate of the Blue Jays since that debate. I am also reminded of an earlier debate in which his friend and my friend the member for Cochrane South (Mr Pope) introduced a bill to make the white pine the official tree of Ontario. We all know the fate of the white pine in this province. There are almost none left, when at one time it was the most important forestry resource we had in Ontario.

I suppose one has to be careful on this. My friend who spoke most recently from the other side, the member for Elgin (Miss Roberts), said there are two sides to every debate. Sometimes, as we see in the configuration in this House, there are more than two sides. I do not think

everything, including loons, is necessarily black and white. The loon is certainly emblematic of Ontario's wilderness, of Canada's wilderness really. It has a beautiful lonely call. I cannot agree with the author the member for Durham East quoted who said it sounded like the call of a—

Mr Cureatz: A mad person, a madman.

Mr Wildman: You did not say wild man.

Mr Cureatz: Proverbial madman.

Mr Wildman: It is indeed a lonely call, a sort of sad call, but a beautiful one. I hope that when we are choosing the loon as an avian emblem, we are not choosing that sad tone in looking at the future of our wilderness in Ontario.

My friend the member for Sault Ste. Marie pointed out the difficulty the loon has had in reproducing because of pollution by acid rain and the pressure on lakes in northern and eastern Ontario from residential and seasonal cottage development. I wonder if in choosing the loon, the parliamentary assistant to the Minister of Natural Resources, the member for Durham-York, is really in a way symbolizing the mismanagement of our natural resources in this province.

The member for Durham East pointed out that the loon in a way is second and always comes out the winner. In this case, the government tried to choose the blue jay and it lost out because Prince Edward Island had already chosen one. In the coin decision with regard to the new dollar coin, because of the mishaps of the mint and Canada Post the choice was made of a loon design by Michael Carmichael, a well-known artist in my constituency. But I hope that image of the lonely loon on a lake in Ontario's wilderness is not going to meet the same fate as some of the other images on the coins in our currency, whether it be the Bluenose or whatever.

We really do have a serious problem with the mismanagement of our resources in this province and I have some problem with the fact that the parliamentary assistant to the Minister of Natural Resources is getting up and introducing this kind of motion when we see what has been happening in his ministry. My friend the member for Sault Ste. Marie mentioned the cuts in funding for the Ministry of Natural Resources. I would like to talk a little bit about what I call the tough vision for the 1990s for the Ministry of Natural Resources and it is indeed a tough vision, both capitalized and uncapitalized.

The watch phrase for that vision is to do more with less. The staff of the Ministry of Natural Resources has been told they will not get the kind

of funding that is required for them to properly manage the resources, whether it be the forestry resources, the water resources, the parks or the wilderness of this province.

They have been told instead that the ministry should be responsible for monitoring what the private sector is doing with our resources, that the ministry staff really should be spending time in offices writing up plans and evaluating proposals from the private sector for contracted-out work, whether it be in fire protection—we are going to be hiring many emergency people from the private sector if we have a major fire emergency this year because we have cut the staff in our fire protection service—or whether it is in forestry where we are contracting out the replanting of our trees or the parks where there are proposals to expand the contracting out of the management of the parks.

Instead of discussing these very major concerns, particularly in northern Ontario but for the people of the whole province, we are here talking about whether the loon or the blue jay or whatever would make a better avian symbol for this province.

1050

I am lucky enough to own a place on a lake and we enjoy the sounds of the loons and seeing the loons on the lake. It is a beautiful sight. But I think we should be debating in this House how we can ensure that this environment is preserved for future generations of us and of the birds and other wildlife of this province. I do not think we are doing that.

I realize this is indeed private members' hour and I commend the member for bringing forward this proposal. Sometimes I wonder if we get a little too overly interested in symbols rather than action. We have an official flower for the province that is on the endangered species list. You are not supposed to pick them. We have an official tree in this province that is almost nonexistent in this province. Now we are picking as an avian symbol a bird that is under pressure. Thank goodness it is not an endangered species, but it is under pressure.

I think that instead of just dealing with symbols, we should be talking in this House about how we are going to allocate the resources required to ensure that the loon does not go the way of the white pine or Ontario's official flower, to ensure that we have lakes that are not polluted and to ensure that we are regenerating and preserving our forests. Instead of cutting the budget for the Ministry of Natural Resources and contracting out jobs to the private sector, we

should actually be allocating the funds required to ensure the Ministry of Natural Resources can carry out its mandate to ensure that we do indeed have an environment we can be proud of for future generations in Ontario.

Mr J. M. Johnson: I just want to take a few minutes because my colleague and friend the member for Sudbury wishes to speak. I would like to go on the record as saying that we always exercise the option of a free vote in this Legislature in private members' hour—that is what we are doing today—and I intend to support the bill. My colleague the member for London North (Mrs Cunningham) just mentioned to me that the loon is indeed a beautiful bird and she likes the idea of supporting it as well.

I might just say on behalf of my colleague the member for Hastings-Peterborough that he is in the hospital this week. It is unfortunate he is not here to speak against this bill because his blue jay bill is still floating around someplace. He was hoping it would land some time, maybe when the other Blue Jays win the pennant.

I feel I should make one comment in support of the member for Durham East, who mentioned that the loon has a very funny call, something like the call of a madman, not a wild man. Perhaps it is appropriate that the member for Durham-York presented this bill.

Mr Campbell: I am pleased to rise today to speak in support of this bill. The loon is a very fitting and appropriate avian symbol for this province. As they say in Hollywood, "Cut to the chase," because I only have a few minutes and I would like to comment briefly on the selection process for this emblem.

I am very pleased that it was a young man from the town of Walden, Matthew Conroy, who won top honours in the contest among the children of Ontario to select this emblem. Walden lies within the regional municipality of Sudbury and I feel it is very appropriate that a youngster from my region was selected as a representative of the young essayists who all wrote so eloquently on the loon.

Sudbury, as we all know, suffered from the ravages of uncontrolled development and the environmental damage caused was significant. But Sudbury is also the community that banded together and turned this around. The greening of Sudbury is a beautiful sight to us all and I invite all members to come up and see for themselves. With young people such as Matthew, I am certain our environment and our communities will continue to grow in harmony.

In conclusion, I must again compliment the young people of Ontario on their choice of an official bird for our province. There can be no doubt that this emblem is fitting, appropriate and very timely.

Mr Ballinger: Let me begin by thanking the member for Sault Ste Marie for his support, the member for Elgin for her very eloquent support, and also the member for Algoma—although slightly strained support, I appreciate it very much—the member for Sudbury from my own caucus, and the member for Durham East, my good friend and neighbouring colleague.

What can we say about the member for Durham East? The member for Durham East spent some time relating various species of birds to our caucus. I was wondering how he was tying that into Bill 27, currently before us, when we were discussing symbols, but quite frankly I say to the member for Durham East that there are at least two avian symbols that come to mind that I think represent him very well. Probably the first might be the symbol of the dodo bird.

Mr Cureatz: Extinct.

Mr Ballinger: Well, no, it is a bird that runs all over the place flapping and really does not accomplish very much.

Second, another symbol might be the crow. That is one the member for Durham East forgot.

Mr Wildman: Why, because he's always ravin'?

Mr Ballinger: No, because he has fouled his own nest on more than one occasion.

Mr Cureatz: That's true.

Mr Ballinger: I also want to thank the member for Wellington (Mr J. M. Johnson) for his support. We appreciate it very much.

All kidding aside, this particular discussion about making the loon a symbol for Ontario is a very important one. It has been selected through a contest by the children of Ontario, the future generation, who are somewhat concerned.

In a brief conversation I had with the member for London North, she said she believes very strongly that this is a wise selection because there is fear in Ontario of the extinction of the loon. It is important we symbolize this we work towards making sure that the loon does not become extinct in Ontario.

The mere fact is that the member for London North, when she was chatting with me, explained that Ontario in itself, the people of Ontario, have mostly already adopted this as a symbol anyway. You cannot go anywhere in Ontario without loon

memorabilia. Everywhere you go, whether it is in photos, paintings, etchings or carvings—

An hon member: Or earrings.

Mr Ballinger: —the loon earrings, as the member for Elgin pointed out—it has really now been chosen by the majority of the people of Ontario. When tourists come to this province, all you have to do is see all the loon artefacts on sale in this province and it would indicate that there is already very strong support out there.

Mr Spook—Mr Speaker—

Interjections.

Mr Ballinger: I was spooked. I have been spooked by the member for Durham East.

Emblems are chosen because they symbolize for us some of the best aspects of this province. They symbolize Ontario as we see it and as we want others to see it. Ontario is a province with a vital heritage. The loon symbolizes this heritage because it is one of the most ancient birds native to our province. In fact, as I said earlier, the loon family has been around for almost 20 million years.

Ontario is a province of magnificent wilderness areas, of rivers and lakes and fish. In fact, the name Ontario is thought to be derived from the Iroquois word “skandandario,” meaning “beautiful lake.” Loons are one of the most beautiful inhabitants of any of our provincial lakes.

The loon also represents something beyond the wilderness itself. Many of our children who wrote about the loon in their contest entries described their feelings at seeing a loon or hearing its haunting call. They were describing their own experiences of Ontario’s outdoors and they were worried about its future.

We all know that if we can keep our land and our natural resources clean and healthy, our wildlife will remain healthy. That is important to all of us. The loon is extremely sensitive to changes in its environment and is affected by human activity. I think by choosing the loon as our avian emblem we can make it a symbol, to ourselves and to others, of our concern for a quality environment. It will become a sign of our commitment to a healthy environment. It will become a signal that our beautiful wilderness will become part of the heritage we will pass on to our children and to future generations.

In conclusion, I want to say that I believe the children of Ontario have made a wise choice in our official avian emblem; the loon will represent important aspects of what we as Ontarians hold dear to our hearts. I look forward to the support of

every member of the House in passing second reading of the bill.

1100

WORKERS’ COMPENSATION

Miss Martel moved resolution 11:

That, in the opinion of this House, recognizing that those directly affected by the government’s attempt to reform workers’ compensation—labour groups, injured workers and their advocates—are overwhelmingly opposed to Bill 162 and want it scrapped, the government of Ontario should immediately withdraw Bill 162 and begin a real process of consultation with the stakeholders to bring in needed, progressive reform to workers’ compensation in Ontario.

The Acting Speaker: The member is reminded she has up to 20 minutes for her presentation and may reserve any portion thereof.

Miss Martel: Thank you, Mr Speaker. I do have some formal comments I would like to place on the record, and I do hope to leave time at the end to respond to comments which I know will come from my colleagues on both this side and the government side.

I think it is most appropriate for me to begin by acknowledging that Thursday, 1 June 1989, the day this motion was originally scheduled to be debated, was Injured Workers’ Day. Injured workers were again demonstrating outside this Legislature. They were here for two reasons. First of all, and somewhat ironically, they were here, in fact, to celebrate.

Many members of this House would not know that six years ago, on 1 June 1983, injured workers in Ontario won a major victory when they forced a standing committee of this Legislature to hold public hearings on the steps outside of this building. It had never been done before. It has not been done since.

The standing committee at that time was the standing committee on resources development. It was holding public hearings on the Conservative government’s white paper on changes to the Workers’ Compensation Act. The victory came when the committee was forced to move its deliberations in order to accommodate the overwhelming number of injured workers who came here to protest that white paper.

Injured workers in the province and in particular in Metropolitan Toronto continue to celebrate that day when the ordinary folk in this province actually forced the government to listen to their concerns. Many would say that, in fact, the government of the day actually heard and reacted to their concerns. When Bill 101 was

introduced in this Legislature, the dual award system, which they had come to protest about, was not included in that bill.

The second reason that injured workers were here again two weeks ago was to protest, as they were here six years ago to protest. It is an irony that the focus of their protest six years ago was a proposed dual award system to compensate for permanent disabilities. It was essentially the same dual award system that the Liberal government has put in place in Bill 162.

There is a difference, in that in the Tory proposal the age discrimination, which is an inherent part of the lump sum award, began at age 40. In Bill 162 the discrimination begins at age 45. But no matter what way you cut it, it is still discrimination. The Ontario Human Rights Commission, when it came before the committee during public hearings, said the same thing.

The second difference is that the Tory wage-loss system in 1983 was actually fairer than what the Liberals have proposed in Bill 162. The practice of deeming, or the board's best guess of what an injured worker can earn, was only allowed when a worker actually refused a job which was suitable and had been offered to him or to her.

The Liberals on the committee at that time argued for, and in the end supported, defining the terms "suitable" and "available" to cut out unnecessary Workers' Compensation Board discretion.

The member for Windsor-Sandwich (Mr Wrye) said:

"I view writing an act without a definition of the words 'suitable' and 'available,' leaving all of that discretionary power to jurisprudence or the board or a combination of both, as extremely frustrating."

He said further:

"Those of us who are elected by injured workers and a whole lot of other people ought to have the political courage to begin to define those words. If we do not have the political courage, I quite frankly do not understand what the hell we are doing here."

I have to wonder what in fact we are doing here. In Bill 162, not only are the words "suitable" and "available" not defined, but in fact the practice of deeming is allowed, whether or not an injured worker has a job offer, whether or not he or she has training for that job, whether or not he or she has done that job before and so on and so on. It is a far cry from what the Liberal Party argued against six short years ago. It is interesting to note that times change, and the

Liberal position on this issue certainly has as well since a majority government was won in 1987.

From the outset, injured workers, their advocates and labour have opposed this bill. Nowhere was that sentiment more clearly heard than during the course of public hearings on this bill. The overwhelming majority of the over 300 groups that came before the committee made their position very clear: Bill 162 could not be fixed; it could not be tinkered with; it could not be re-amended. In short, the bill had to be withdrawn completely.

The Peel and area council of the Canadian Auto Workers said this:

"It is our opinion, however, that amendments will not correct Bill 162 since it is fundamentally flawed and should be discarded."

United Steelworkers of America District 6 director Leo Gerard noted this:

"Bill 162 must be withdrawn. Its fundamental flaws cannot be corrected by amending the bill in its present form. Workers in Ontario will continue to be unjustly treated unless Bill 162 is withdrawn and replaced by just and equitable amendments."

The Ontario branch of the Canadian Union of Public Employees put it this way: "Bill 162 should not be implemented, nor should it be further amended."

Finally, and very simply, the Union of Injured Workers and their advocates said this: "Bill 162 must be set aside. It is not worth amending."

The minister's weak-kneed amendments, which he introduced in committee some three weeks ago, do nothing to change this position. In fact, they are noteworthy for their complete lack of substance, especially after all we heard during the course of the public hearings.

For example, rehabilitation is still not a statutory right for injured workers. The lump sum award is still miserly; it is still based on age discrimination. Deeming is alive and well; there is no way to check its abuse under this act. There are still exemptions and still time limitations in the reinstatement section in spite of the fact that these are not allowed under the Human Rights Code. The WCB still has more discretionary power than ever before, and so on and so on.

These are types of concerns that the resources committee heard over and over again during the course of the public hearings, but this government did not listen to what those people had to say.

Those presenters who came before the committee and asked frankly whether there was any point to having public hearings and whether in

fact their concerns were going to be listened to had every right to be cynical and critical of this government, because in fact this government did not listen to what the overwhelming majority had to say.

If the Minister of Labour (Mr Sorbara) had listened, he would have withdrawn the bill, because that is exactly what labour, the injured workers' groups, the legal clinics and their advocates said when they came before the committee.

1110

On the important point of consultation, it is safe to say that none of the stakeholders in this system had any input into this bill before it was introduced.

My colleagues and I on the committee made it a point to ask a large number of groups whether they had been consulted about the bill before it was introduced. In each case, we were told that discussions took place after the bill was introduced or discussions did not take place at all. This came from some of the major stakeholders in the system, from those people who deal with compensation and this act every day on behalf of injured workers.

Any changes to the Workers' Compensation Act must surely come about only after all of the stakeholders have been consulted and there has been dialogue.

It is interesting to note that it was only after Bill 162 was introduced that the minister then established the advisory committee for the green paper. The order in council which established the advisory committee says this:

"Whereas the Minister of Labour deems it advisable to obtain the opinions of various representatives of the workplace in respect of workers' compensation, there is established a group to be known as the Workers' Compensation Reform Advisory Group to advise the Minister of Labour on the subject of reform under the Workers' Compensation Act."

Why did this happen after Bill 162 was introduced? Why were the issues not raised in Bill 162 given to the green paper committee to deal with? I think the answer is very clear and it was best summed up by the Labour Council of Metropolitan Toronto and York Region, which came before the committee and said this:

"The intended bias of this legislation, in our opinion, is obvious from the start. If the legislation was sincerely intended to meet the needs of injured workers, why is it then that their organizations were not consulted in the drafting of these changes?"

I think the answer is simple: This legislation is not intended in any way, shape or form to meet the needs of injured workers.

It is completely inappropriate for the minister to say, as he has on several occasions, that Bill 162 is a result of years of discussion on how to reform workers' compensation in this province. The ministry pamphlet which advertises Bill 162 says this, and I quote:

"These changes"—meaning Bill 162—"are the result of a great deal of study. In 1985, the Ontario government commissioned research on how best to compensate injured workers and how to help them resume earning a living. After these studies were completed, the government talked to representatives of labour and business and injured workers themselves to put together a plan for a better, fairer system of workers' compensation. The changes that are being introduced are based on that plan. Overall, these changes will not add to the cost of workers' compensation because they involve a better use of existing funds. All of the changes are included in Bill 162."

I have to say that that is utterly misleading and utterly inappropriate. Let me say why. Two issues alone have really dominated the issue of workers' compensation reform in the past number of years. Those two issues include compensation for permanent disabilities and rehabilitation services offered by the Workers' Compensation Board.

In the case of compensation of permanent disabilities, Professor Paul Weiler has recommended since 1980 that the government of the day adopt a dual award system to replace the present monthly pension. He did so one more time in 1986 in his third report which is entitled Permanent Partial Disability: Alternative Models for Compensation.

In 1981, the then Tory government did incorporate Professor Weiler's scheme into its white paper. During the course of public hearings on that white paper during 1982 and 1983, that dual award scheme was overwhelmingly rejected by labour, by injured workers' groups and by their advocates.

In 1981, the then Tory government did incorporate Professor Weiler's scheme into its white paper. During the course of public hearings on that white paper in 1982 and 1983, that dual award scheme was overwhelmingly rejected by labour, by injured workers' groups and by their advocates.

Bill 162, as I said earlier, duplicates that same dual award system with minor changes. In fact, a

dual award system proposed under Bill 162 is even more unfair when it comes to the practice of deeming. That system too was resoundingly rejected during the course of public hearings on this bill by labour, by injured workers' groups and by their advocates.

There has never been any consensus on how to adopt a dual award system in this province since the idea was first conceived in 1980. There has never been any consensus on how to bring a dual award system into place in this province.

The second issue, which has been a topic of major concern about compensation for the last number of years, concerns rehabilitation.

Rehabilitation became a focus of concern in particular in 1985 because rehabilitation services at the WCB were so bad and there was so much criticism that the government was forced to establish a task force to deal with the situation and make recommendations.

That task force, Majesky-Minna, was made up of representatives from labour, business and the medical community. Over the course of several months, they toured 19 communities in this province. They held public hearings in 19 communities, heard from hundreds of people and received hundreds of briefs about how bad rehabilitation was.

Their final report condemned the WCB in terms of rehabilitation services. That committee further recommended 84 changes that should be made to overhaul the delivery of rehabilitation to ensure that workers received rehabilitation and appropriate rehabilitation.

Those recommendations do not appear in this bill, nor has the WCB put them in place in its new rehabilitation strategy announced in April 1988. Although the minister has tried to suggest that they do appear in the bill or they do appear at the WCB, we have heard otherwise. In fact, in May 1988, Wally Majesky, one of the co-chairmen of that task force, held a press conference in this building and said that in fact the Worker's Compensation Board had rejected 87 per cent of the recommendations put forward by that task force on how to change the system.

During the course of the public hearings, Bernie Young, United Steelworkers of America representative, who was a member of that task force, came before the committee and said that the recommendations of the task force did not appear anywhere in Bill 162.

Two million dollars of government money, months and months of hard work by a conscientious group trying to do a good job, and that

report has effectively been shelved by this government.

There was consensus on how to change rehabilitation. This government did not have the guts to implement those changes.

The compensation system in this province is not working and we all know it, but this bill will do absolutely nothing to improve a terrible situation. That was the message the resources committee heard throughout the course of the public hearings; that, and a call on this government to withdraw the bill.

On behalf of all of those labour groups, all of the injured workers' groups and their advocates who oppose this bill, I call on this government to withdraw Bill 162 and begin a real process of consultation to change the system.

Mr McLean: I welcome this opportunity to say a few words on the resolution from the member for Sudbury East (Miss Martel) calling on the Ontario government to withdraw Bill 162, An Act to amend the Workers' Compensation Act, and to begin the consultation process aimed at the progressive reform of the workers' compensation system in this province.

The key points of Bill 162 include replacing the current so-called meat chart system with a new dual system which would compensate injured workers on the basis of projected income of future earnings or income and non-economic losses, such as the effect upon lifestyle associated with permanent injuries; a mandatory reinstatement policy for many employers under certain conditions, and an increase in the compensation ceiling which would see the maximum gross earnings on which benefits are calculated and assessments are determined increase from 140 per cent to 175 per cent of the average industrial wage for Ontario or \$35,100 per annum to \$44,000 per annum.

Workers' rehabilitation policy would require the WCB to contact the injured workers within 45 days of their injuries and provide prompt rehabilitation counselling where necessary. Injured workers who have not returned to employment within six months of an injury would be entitled to a formal evaluation of their vocational rehabilitation needs.

1120

I cannot help but agree with my colleague the member for Sudbury East when she demands that the government withdraw Bill 162. I agree with her that this piece of legislation should be withdrawn, but for different reasons. Both employees and workers have legitimate concerns

about the proposed amendments to the Workers' Compensation Act.

Employers are concerned because they will be asked to contribute more money to the system they believe is already giving away far too much. They are concerned because they feel the scope of the compensation benefits is out of hand.

Employers are concerned that management controlled decisions are being taken out of their hands and placed in those of the Workers' Compensation Appeals Tribunal, which has no cost responsibility and therefore often gives overly generous compensation awards, according to them.

Employers are concerned because they argue that injuries supposedly suffered in the workplace are often questionable. The list of concerns raised by both sides goes on and on.

A construction company I am aware of has hired extra trucks. The WCB indicates that they have to insure the trucks they hire, yet they have no say over whether they are safe, whether they need new tires or new springs, or whether they need to be fixed. Yet, this owner-operator is to pay for compensation of trucks that he hires. He has a concern with that and rightly so. I would think that if you owned your own truck, you would pay your compensation.

Another person wrote to me with regard to a small meat-packing plant that he owns, with six to eight employees. They have paid approximately \$20,000 in compensation in three years and have had hardly any claims. So, employers are concerned.

I want to tell the members about an employee, a personal friend of mine—as a matter of fact, a relation, my brother-in-law—who had his arm severed between the wrist and the elbow in the workplace last October. When you talk to people who have been injured, who have gone through and dealt with the Workers' Compensation Board and have had several operations, psychologically, there is a problem.

This individual is wondering in two years' time or less what he is going to be doing, what he will be doing for the next 25 years that he is able to work or should be able to work. What type of a salary is he going to be able to make? Is he going to be capable of doing what he likes doing.

This is only just one of the people that you hear of, and the closer you are to these people, the more you know of their concern and the concern that they are raising. There are very few people who are injured who do not want to work; they want to get back to work, but there are many who

cannot do what they had enjoyed doing in the past. So, the workers are concerned.

We got a pretty clear indication of this when more than 200 injured workers stormed the Legislature because they opposed lower compensation benefits, objected to small lump sum payments in place of permanent pensions; they opposed a continued strong role played by the WCB physicians; they argued that temporary benefits would be severely restricted under the new system; they opposed wage loss payments based on the types of jobs; they objected to increased insecurity in old age and argued that rehabilitation would be virtually nonexistent. Like the employers', the list of workers' objections and concerns is endless.

The Workers' Compensation Act was designed and passed in law in 1915. Today, the WCB has become a nightmare, a bureaucratic maze that is stifling the work that it was set up to accomplish, and the concerns and priorities are being lost in the process. I believe the WCB is one of the fastest, if not the fastest, growing bureaucracies in the government. The WCB is completely out of control.

I sincerely believe that we are all in agreement with the principles of the Workers' Compensation Act and I believe that we all support the proposed aim of Bill 162, which is to give the injured workers of Ontario and their employers the fairest deal possible.

I must add that the amendments to Bill 162 do not accomplish their goal. Workers are upset because they feel they will be getting less than they had before. The employers who fund the entire administration of benefits paid out by the board are upset because they feel they have no control over their own money.

I believe that Bill 162, with its amendments and proposals, amounts to ineffective tinkering. The act is mired down and tangled in layer after layer of administration, which makes it almost impossible to get things done efficiently.

I support this resolution and believe that one of two approaches should be taken to the the Workers' Compensation Act. The first approach should be to have a royal commission look into the affairs of the WCB. This proposal is supported by both workers and employers alike, but the government failed to respond positively to this idea when it was first proposed in 1987.

The second approach involves withdrawing Bill 162 and bringing in a completely new act which will really address the concerns of both the employer and the employees. However, I doubt the government, with its huge majority, will go

for this idea either. We have already seen what the government has in mind for the standing orders of this Legislature. The government will use its massive majority to ram through changes to the rules of the House that will ultimately permit this government to do what it wants and leave the opposition parties with absolutely no rights. This move is completely anti-democratic and it is just one more display of this government's arrogance. It is called, "the gag law."

If the government can use its huge majority to try to take the heat off the recent politician payment scandals, or to ram through undemocratic changes to the rules of this House, how can workers and employers be expected to see any positive changes to the the Workers' Compensation Act that will result in fairness for both sides? I think that is just wishful thinking.

I would like to take a few minutes to share with you some of the concerns I have with the the Workers' Compensation Board, and more specifically, about Bill 162. In Ontario, the program's unfunded liability is far and away the highest, compared to every other province in Canada, and it is getting worse. With all the emphasis on safety programs and all of the effort being invested in initiatives to rehabilitate injured workers, the record shows we are losing the battle.

In 1980 the average duration of lost time was 23.5 days. It is now 50 per cent higher at 34 days. In 1980 the number of weeks of benefits was 4.7. It is now 6.8. Both of these trends have a tremendous impact on cost and ultimately on rates. In 1987 there were 230 workers killed in industrial accidents. That is about one for every working day, and a cost in human life that is clearly unacceptable.

Between 1979 and 1987, the number of disabling injuries has increased by 61 per cent. I have serious concerns about the lack of an effective rehabilitation program for injured workers. It is both cost effective and far more acceptable for injured workers to get back on the job, if possible, and as soon as possible.

Bill 162 does not address any of my concerns about the administration costs associated with the current system. I feel that the reforming of the system, making it more responsive and more cost effective, either by way of a royal commission or at least by introducing some substantive changes, is long overdue.

Mrs Sullivan: I am sure it will come as no surprise to members to know that I will be speaking in opposition to the resolution of the member for Sudbury East. I also want members

to know that I think it is refreshing to be able to engage in debate on the content of Bill 162, rather than the histrionics, the obfuscations, and indeed the simplifications of the issues associated with the bill which we have witnessed at every stage in the presentation of that bill.

Like other members, I have no illusions about the position of the New Democratic Party on the basic principle of the bill. The introduction of the dual award system is clearly something that they do not like. I understand their argumentation, I understand the principles behind their opposition to the dual award system, and I understand that this is not a new position for the NDP, that from the first Weiler report that party has been consistent in its opposition.

1130

I disagree with their position, but I want to be able to get on with the debate and to deal with the substantive matters associated with the operation of workers' compensation and how it can be improved to meet today's needs.

We all know that the Workers' Compensation Board and the Workers' Compensation Act need reform. Bill 162 addresses much of that need. As well, the board's own response to the Minna-Majesky report, its internal operating reorganization, its own recognition of its shortcomings in unfunded liability and vocational rehabilitation services and its own credibility to workers and employers have led it to make attempts to improve those shortcomings.

Every member recognizes that injured workers have not always been treated with the fairness and respect they deserve. We know that employers also feel they are not getting good value for their WCB dollar and that they want their employees back at work with them in a fit condition and without rancour.

The government certainly knows there are serious problems with workers' compensation in Ontario and it is earnestly working to fix those problems. Any further delay, as suggested in this resolution, would be irresponsible, in my view.

The members opposite have spent some time trying to paint Bill 162 as a regressive step rather than the progressive legislation that it is. I want to reiterate the comments made at the opening of second reading debate by the Minister of Labour. "Bill 162 represents a conclusion of one round of historic reforms to the system and constitutes the beginning of another."

Ontario is not the first province to introduce a dual award system into workers' compensation. Bill 162 improves upon the dual award system first pioneered by a New Democratic government

in Saskatchewan some 10 years ago. Dual award is becoming the norm of reform in workers' compensation throughout the country. Saskatchewan, Quebec, New Brunswick and Newfoundland have all adopted dual award systems. Nova Scotia announced in April of this year that it will be introducing a dual award system there and Alberta is making warm noises about the introduction of a dual award system. There are no political stripes attached. It is a choice of what will make the system work for employees and for employers.

Bill 162 does four things. It introduces the dual award system to compensate workers with permanent impairments resulting from a workplace injury, it establishes a new statutory framework to provide for effective vocational rehabilitation to be provided on a timely basis to all injured workers who require this assistance in order to return to active participation in the workforce, it places some very real obligations upon employers to re-engage injured workers as soon as they are able to return to work and it makes provision for additional vocational rehabilitation and supplementary benefits to workers already injured and being compensated under the existing system.

The bill does other things, as well. It increases the earnings-covered ceiling so that it will be permanently fixed at 175 per cent of the average industrial wage for Ontario. Given that in 1988 the average industrial wage is estimated at \$25,000, the new ceiling provision, if in effect today, would produce an earnings-covered ceiling of some \$44,000. In fact, the ceiling will be higher when the bill comes into force as the average industrial wage will have risen by then. But as it is, it is a significant increase from the current ceiling of \$36,600.

Bill 162 has received full public hearings through the committee stage and despite her suggestions that throughout the hearings the government would not pay any attention, the government clearly paid attention. From the oral and written interventions and other consultations, shortcomings and limitations of the bill have been considered, analysed and addressed. Not only has the government listened, but the government has responded.

The Minister of Labour has tabled with the standing committee a package of substantial amendments for its consideration. The amendments are intended to clarify some of the aspects of the statute which, given the language used, have been open to unintended interpretations; to

strengthen certain provisions of the bill and to respond to criticisms of the bill.

Those amendments have been put forward to ensure that Ontario's workers' compensation system is fairer and more effective than is presently the case. When implemented, Bill 162 will ensure that workers injured in the future are compensated fairly for the impact the injury has on their lives. It will do this in two ways: providing a compensation award for the non-economic consequences of an injury and by providing compensation for the loss in earnings capacity suffered by the worker.

One of the issues raised before the committee was whether the Workers' Compensation Board is given too much discretion to set a final wage loss award for a term which ends before the worker reaches the age of 65. That was certainly not the government's intent, and to make that point clear the government has proposed an amendment to clarify that the loss-of-earnings benefit will be paid until age 65. The bill, as written, does not, as the member for Sudbury East has previously stated, give the WCB a free rein in determining projected lost earnings capacity.

As originally drafted, the bill sets out a number of factors that are to be taken into account when establishing the criteria which will be used to determine projected wage loss. These criteria will be set out in the regulations and will be based upon such objective factors as the worker's personal and vocational characteristics, the availability of suitable employment, the net average earnings before the injury, the net average earnings, if any, at the time of the assessment and prospects for successful vocational and medical rehabilitation.

Furthermore, the board, in determining what the worker is able to earn, will have to look at the worker's actual post-injury experience. Thus, when the injured worker returns to suitable employment and suffers a loss of earnings, the bill requires that the WCB shall have regard to actual earnings when it is calculating the worker's future loss of earnings.

However, to give even greater clarity to the government's intention, the Minister of Labour has proposed a modification to the bill which spells out in even greater detail what factors are to be taken into account when determining what constitutes suitable and available employment. The WCB will have regard to the following: the fitness of the worker to perform the work, the health and safety consequences to the worker in the specific work environment, the existence and

location of employment opportunities and the likelihood of the worker securing employment. This addition to the bill should finally dispel any notion that the WCB will base its earnings-loss determination on phantom jobs.

The awarding of an amount for noneconomic loss is fundamentally a medical rather than a legal or an administrative decision, and while the government has every confidence in the professionalism of medical practitioners in the employ of the WCB, others have a different view. Nevertheless, it is important that the assessment not only be an impartial professional analysis, but also be seen to be so. Therefore, the government has proposed an amendment to the bill which will enable the worker to select a physician from a roster of independent practitioners.

There are many more changes, many more improvements that have been put forward in the amendments to the bill that the committee is waiting anxiously to consider. Bill 162 will put Ontario's workers' compensation system at the forefront of workers' compensation programs on this continent. I urge all members to support Bill 162 and oppose the resolution before them.

Mr B. Rae: I want to start by responding to the last point that was made by the member for Halton Centre. It just will not do to say that this puts the WCB at the forefront in North America. If that were the case, I say to the member, why would every single workers' organization in this province be opposed, why would every injured workers' organization be opposed? Does she think that a progressive coalition in Arkansas, California or any part of North America could possibly be put together to reform workers' compensation in a progressive way that did not include those people who were affected by the changes?

The only people who are in favour of this, in addition to members of the Liberal Party and the bureaucrats at the WCB and in the Ministry of Labour, are management people, corporate executives, across the province.

1140

Mr Epp: And the NDP in Saskatchewan.

Mr B. Rae: I say to the member who just heckled: When was the last time the president of Inco, the president of Ford, the president of Stelco, the president of any other major industrial company or of any major construction company, Mr Del Zotto or anybody else, had to go down to the WCB and say, "I have not had my payments for the last two years"? When was the last time they had to explain to the WCB that they were

having to lose their house because the payments were not coming through because they had been denied a pension? If these are the people who are in favour of the reform, just on a gut reaction that is a good enough reason to oppose it.

One has to look beyond the simple reality that every single organized group of workers in this province has stated its complete opposition to Bill 162 and its determination to defeat Bill 162. I would say to the Liberal Party: This is the first major reform of workers' compensation since 1915 which has not had the support, the consensus and the approval of the people who are going to be affected by these changes. This is the first change that has ever been imposed on working people against their will. Every other major reform in legislation since 1915 has had the support of the millions of workers who are going to be affected by these changes.

The bill has three major problems with it that are fundamental, that go to the root of the issue and that speak very directly to the concerns of working people.

Le premier problème avec ce projet de loi, c'est que la proposition du Parti libéral va changer la Loi sur les accidents du travail et va créer encore un système de bien-être social. Nous ne voulons pas de système de bien-être pour indemniser les gens dont les problèmes et les maladies ont été causés par leur travail; nous demandons un système de justice.

We want a justice system for people who have been injured on the job. We want an insurance system for people who have been injured on the job. We do not want a welfare system for people who have been injured on the job. That is the fundamental difference between us and the Liberal Party.

I will speak very directly to the question that has been raised about the changes that have been made in other provinces. I think we ought to learn from those changes. I think we ought to recognize that the party that brought in those changes in Saskatchewan now feels that that system needs changing; that that system is not working; that it is producing a situation where a great many workers are being denied benefits and where the level of benefits for workers is in fact lower than it would otherwise have been.

The parliamentary assistant to the Minister of Labour, the member for Halton Centre (Mrs Sullivan), said that we had been consistent in our approach to the Weiler report since 1981. She is quite right. I was here when the Weiler report first came down, and I can tell her that her colleagues in the Liberal Party, some of whom

are still there, were initially opposed to Weiler as well. So the charge of consistency is one that I accept, but it is not one that can be applied to her own party or to her own colleagues.

I think we have to recognize that the move to create a welfare system out of workers' compensation will be a tragedy for injured workers. It is a mistake of historic proportions. I go back to my fundamental point. Why are we imposing changes on workers that they do not want? It is workers who are the beneficiaries of this legislation and who are affected by this legislation. Company executives do not get injured on the job; workers get injured on the job. If a bill is not acceptable to those workers, then I can tell members it is not acceptable to me and it is not acceptable to the New Democratic Party.

Second, I think we have to recognize and see very clearly that, government speeches notwithstanding, this bill does much less in the field of vocational rehabilitation and on the question of reinstatement than the government would hold out; much less indeed.

We know full well that the thrust of the Majesky-Minna report was to say two things: That workers have a right to work and a right to rehabilitation and that indeed the whole thrust of the WCB needed to be changed in order to put working and rehabilitation at the very centre of the work of the board.

Well, what has been done? First of all, there is no right to rehabilitation. There is no such right contained in this bill. In fact, the wording of the act is the exact opposite. The Acting Speaker, as a lawyer with some experience in this field, will understand this distinction.

The bill says that workers have a right to an assessment, so that everybody will get assessed. But that worker having been assessed, the discretion of the board as to what to offer that worker is complete and total. It is fully within the discretion of the board to offer and organize a rehabilitation program and it is fully within the discretion of the board not to do so.

That is a decision which, being fully in the discretion of the board, in effect denies the ability of the Workers' Compensation Appeals Tribunal to effectively review because the discretion of the board is as total as it is, is stated to be as total as it is. Section 86n is still there in terms of the power it gives to the board in its determination of its decisions, but I can say to the members of the Liberal Party, if any of them believe that this bill says anything about a right to rehabilitation, they should read the bill.

On reinstatement, we are nowhere near where the Liberal Party says we ought to be. The Majesky-Minna report stated categorically that there needed to be assurances that workers would get their jobs back and that there would be some legal obligations on employers to take workers back. Those rights are so circumscribed in this bill, and indeed do not even apply in full form in whole sectors of our economy, that literally millions of workers are effectively outside this so-called protection.

So what do we have? We have a bill being imposed against the will of working people. We have a bill on compensation that breaks faith with our 75-year social contract with the working people of this province when it comes to compensation: "Give up your right to sue and we'll create a system which you can be part of, which is your system. Give up that right to sue and you'll have an insurance system of which you can be proud." That contract has been broken. It does not provide for a right to rehabilitation and it effectively circumscribes and limits very dramatically the right to reinstatement.

The member for Halton Centre says she is looking forward to the debate and she enjoys participating in the debate. I can tell her we have a very profound difference of opinion on this question. We think the government is wrong; we think what the government is doing is in fact unconscionable. It is an issue which we intend to continue to fight.

Mr Lipsett: I am pleased to have the opportunity to take part in this important debate today. I would like to address my remarks particularly to the rehabilitation and the reinstatement to work that this bill offers, because from the moment that it took office this government has expressed its concern about vocational rehabilitation and employment efforts on behalf of injured workers.

In May 1986, the member for Windsor-Sandwich, then Minister of Labour, appointed the Ontario Task Force on the Vocational Rehabilitation Services of the Workers' Compensation Board. The task force was asked to do a number of things.

In its review, the task force recommended that workers have a statutory right to vocational rehabilitation. I believe that Bill 162 does that. No, it is not an unlimited right: There must be an evaluation to determine whether a vocational rehabilitation program will be of assistance to the injured worker.

Members opposite have suggested that every worker who suffers a permanent injury should receive vocational rehabilitation if the worker requests it, but, given that the vast majority of injured workers are able to return to work without vocational rehabilitation, that would be a misuse of workers' compensation resources.

1150

The task force recommended that the act be amended to spell out the definition of what rehabilitation means. The task force's clear intent was to ensure that the whole person is dealt with, not just a physical impairment. We do not disagree. We considered introducing a definition but chose instead to maintain the current flexibility by leaving rehabilitation undefined, rather than inevitably limiting it by giving it a definition.

Instead, the bill defines the services that can be provided through a vocational rehabilitation program. To give greater certainty to the bill's vocational rehabilitation services, the Minister of Labour has tabled amendments with the standing committee considering the bill, which will define what the vocational rehabilitation assessment is to include and what services may be provided as a vocational service to the injured worker.

The task force recommended that all cases that have been opened for more than 30 days be referred to vocational rehabilitation service. We considered that but were reminded that there are many cases where a worker will recover fully, but the recovery takes longer than 30 days. Indeed, some 80 per cent of injured workers are back to work within 45 days of their injury. Automatically referring everyone after 30 days would be inappropriate, impractical and again a misuse of scarce resources.

The route we chose instead is to use a two-step process. First, the Workers' Compensation Board is obligated by Bill 162 to contact the injured worker if he is still off work 45 days after the injury. The purpose is to determine if the worker requires any vocational services. Unfortunately, 45 days after an injury is sometimes too soon to determine the rehabilitation needs of an injured worker. So Bill 162 provides that where a worker has not returned to work within six months of the injury, the board is obligated to offer the worker a formal vocational rehabilitation assessment.

That is not to say that the WCB has to wait six months before providing such assessment, but if the worker is not back to work, already receiving rehabilitation services or involved in a rehabilitation program, then the worker has the right to

require the WCB to undertake a vocational rehabilitation assessment.

The amendments tabled by the Minister of Labour clarify these provisions by making it clear that upon receipt of the assessment, the WCB in having regard for the assessment is to consult with the worker and then make a determination as to the need of a rehabilitation program, all within 30 days. This time line will be added to the bill to make it clear that there should be no delays in the provision of this service.

When the WCB determines that a worker will benefit from a rehabilitation program, then the board is further obligated to consult with the worker and, where possible, with the employer and the worker's physician in designing the program. This involvement of the injured worker in his rehabilitation program goes beyond anything recommended by the task force.

The task force did recommend that where the injured worker disagreed with the vocational rehabilitation program being established for him, the worker maintains the right to appeal. Bill 162 does not in any way preclude such appeals through the board or to the WCAT.

The task force also recommended that injured workers have a right to return to their pre-injury job; or where the worker is no longer capable of performing that job, to return the worker to another job in the same enterprise. In some respects, Bill 162 goes further on that recommendation than the task force recommended.

First of all, the bill obligates employers to reinstate all injured workers in their former positions, or where that is not possible, in an alternative job of a similar nature with the same pay.

Second, where the worker is unable to perform the essential duties of that position, the employer is obligated to offer the first suitable position that becomes open.

Third, the minister has tabled an amendment to the bill that will place on employers a similar obligation to accommodate injured workers as is set out in the Ontario Human Rights Code. This additional obligation will require the employer to modify either the work or the workplace as long as to do so would not place an undue hardship upon the employer. The employer is also obligated to file the plan modification with the Workers' Compensation Board. As well, the bill makes provision for WCB assistance to employers in their efforts to modify the workplace as part of the vocational rehabilitation program.

Fourth, and this is where the bill begins to go farther than the task force recommendations, the WCB is authorized to penalize any employer found in violation of re-employment provisions.

Fifth, in addition, during the injured worker's first year of absence from work due to the injury, the employer is obligated to maintain contributions to any workplace health care, life insurance and pension plans to which the worker belongs. Not only does this provision ensure the worker does not face an immediate loss of benefits for himself and his family, but it serves to strengthen the continued employment link between the injured worker and his employer.

The government is serious about doing all it can to facilitate the injured worker's return to work. I believe the approach set out in Bill 162 will make a tremendous difference. Reinstatement provisions are relatively rare in employment law. It is extremely difficult to force an employer to hire and rehire a particular employee. I think that is where we have gone farther with this bill than anyone has ever gone before.

In conclusion, I am convinced that Bill 162, with the proposed amendments discussed above, will have the desired results. Injured workers in Ontario will get the assistance they need to return to the workforce more quickly and in much greater numbers than has been the case up to now.

The Speaker: The member's time has expired.

Mr Wildman: I want to take this short time to commend the member for Sudbury East for the work she has done on behalf of injured workers in Ontario and in opposing Bill 162, which is the most ill-conceived piece of legislation we have ever seen in this House.

The fact that the government could proceed with this kind of legislation when every group that will be affected by the legislation is opposed to it is beyond me. Why does the Liberal government insist on proceeding with a bill that has the opposition of injured workers, the labour movement and even of some groups of employers? How is it that the Minister of Labour and his friends in the Liberal Party can believe they are the only ones who are right on this legislation and everyone else who is affected by it is wrong?

It is important we recognize that the promises made by the Liberals in this legislation cannot be fulfilled. We have seen the experience in Saskatchewan, where this dual award system was mistakenly proposed and where most in-

volved groups now would like to see the system changed. The promise of rehabilitation is a sad joke in this legislation. All that is promised is an assessment and that is all that is guaranteed. There is not a guarantee of reinstatement.

I implore the members of the Liberal Party to listen to the people who appeared before the standing committee on resources development and almost unanimously called for the withdrawal of this legislation. We have done all we can to try to persuade the members of the Liberal Party to listen to the people who appeared before the committee. Surely, they can now vote in favour of the resolution of my friend the member for Sudbury East, which will advise the minister to listen and to withdraw the legislation.

The Speaker: The member's time has expired. The member for Sudbury East had reserved almost three minutes.

Miss Martel: In the short time I have remaining, let me respond to some of the comments that have been made.

The member for Halton Centre has said Bill 162 improves upon the experience of Saskatchewan. Let me tell members of this House what Bob Sass, who was Deputy Minister of Labour at the time this bill went into effect in Saskatchewan, says about this, "If I had my druthers, now I wouldn't tout the Saskatchewan system as an advance." He thinks the compensation for wage loss alone is unfair.

Sass thinks the act does not recognize proper compensation for individuals whose claims are recognized. He thinks the act does not recognize as many claims as it should. If he were starting again, he would develop an entirely different system from the one now in place in Saskatchewan.

Second, the member talked about the minister moving substantial amendments in committee three weeks ago. I would say there are substantial amounts of new words in the legislation, but it does not change the bill or the direction of it in any way, shape or form. That is why we wanted new hearings, in order to have the people who came before us tell us the same thing, as I am sure they would have.

She talked about the earnings loss determination and said that with the new amendments to the amendments to the amendments introduced three weeks ago, deeming would not continue. I hate to tell the member that she neglected to mention the last criterion in the deeming section. She mentioned five out of the six. The last one also says "any other such factors as the board may put into the regulations," which allows it to define

anything it wants, any time it wants, and MPPs will have no input into that process at all.

In terms of the comments made by the member for Grey (Mr Lipsett) concerning rehabilitation, let me just point out what Wally Majesky, who was co-chairman of that task force, said over a year ago when the board introduced its new rehabilitation strategy, which the minister has said incorporates most of the Majesky-Minna report: "The new WCB vocational rehabilitation strategy has rejected approximately 87 per cent of the task force recommendations, or 73 out of a total of 84. It is obvious to me that the WCB is still driving a 1914 model of rehabilitation."

I should point out to the Liberals as well that they paid \$2 million for the task force by Minna-Majesky which had representatives not only from labour but from the medical community and business. They made 84 substantial recommendations that this government has decided were not good enough. If they had consensus from labour and from business, why is it not good enough for this government to accept those recommendations and incorporate them into this bill? It is a disgrace.

The purpose of the motion today was to point out two things. The overwhelming majority of groups that came before us said not that the bill could be fixed, not that it could be tinkered with, but that it had to be withdrawn completely, and we should start again with a process of real consultation. There was no consultation on this bill.

We heard the same from the Ontario Federation of Labour, from trade union movement groups, from legal clinics, etc. That is why I am calling on this government today to withdraw this

bill and start again with a real process of consultation to reform the system.

The Speaker: That completes the allotted time for debate on ballot item 7 and ballot item 8.

1202

AVIAN EMBLEM ACT, 1989

The Speaker: Mr Ballinger has moved second reading of Bill 27.

Motion agreed to.

Bill ordered for committee of the whole House.

WORKERS' COMPENSATION

The House divided on Miss Martel's motion of resolution 11, which was negatived on the following vote:

Ayes

Allen, Bryden, Charlton, Cooke, D. S., Cousens, Cunningham, Grier, Jackson, Johnson, J. M., Johnston, R. F., Martel, McLean, Morin-Strom, Philip, E., Rae, B., Reville, Villeneuve, Wildman.

Nays

Adams, Ballinger, Bossy, Campbell, Cleary, Collins, Cooke, D. R., Elliot, Epp, Faubert, Ferraro, Fleet, Furlong, Henderson, Leone, Lipsett, Lupusella, Mancini, Matrundola, McClelland, Neumann, Nicholas, Oddie Munro, Offer, Owen, Pelissero, Polsinelli, Poole, Reycraft, Roberts, Sola, South, Sullivan, Ward.

Ayes 18; nays 34.

The House recessed at 1212.

AFTERNOON SITTING

The House resumed at 1330.

MEMBERS' STATEMENTS

ENVIRONMENTAL PROTECTION

Mrs Grier: On 19 May there was a leak from Dow Chemical in Sarnia of some 4,000 to 6,000 kilograms of Freon, a chlorofluorocarbon with a tremendous ability to destroy the earth's ozone layer. Dow uses it as a coolant in the chlorine plant in what is supposed to be a fully contained system.

Investigators of the Ministry of the Environment are still trying to determine whether it is even possible to charge Dow for this Freon leak. Dow did not report the leak promptly to the ministry because the company claimed there was no legal requirement to do so, and even if Dow had reported it, there is no proper provision in air pollution regulation 308 to cover substances such as Freon that do global rather than local damage. This morning the ministry told us that it would be several years before regulation 308 is amended.

The Minister of the Environment (Mr Bradley) talks a good line about protecting the ozone layer. This Legislature debated Bill 218 which will phase out CFC use in Ontario, yet there is little or nothing in the Environmental Protection Act to give the ministry the muscle to prosecute a massive CFC leak such as the one by Dow. We have two fine-sounding pronouncements in the act. Section 13 says you must not discharge a contaminant into the environment. In other words you should not pollute, but if you do, section 14 says that when you discharge a contaminant out of the normal course of events that causes or is likely to cause an adverse effect, you must notify the ministry forthwith.

If a major leak of a chemical that destroys the ozone layer is not enough to make Ontario's environmental laws kick in, what is?

CLEANTARIO

Mr McLean: My statement is directed to the Minister of Tourism and Recreation (Mr O'Neil). The minister will recall on 25 April the throne speech from his government contained a reference to the creation of a new lottery fund called Cleantario. I realize that this speech was made nearly two months ago and its contents may have faded from his memory, so let me refer to the pertinent section which says, the creation of a

"new lottery fund, Cleantario, to help finance our ongoing efforts to protect our environment."

In other words, the minister's colleague Bingo Bradley has indicated he is not willing to pay for any of the pollution abatement necessary to keep Ontario clean. Through the minister, Bingo Bradley has decided to tap into the already saturated lottery market to do the job. The Minister of the Environment is abdicating his responsibility and will gamble on the lottery-ticket-buying public to do his job for him.

The Cleantario announcement was made approximately two months ago and we still do not know what kind of a numbers game Cleantario will be or when the first tickets will go on sale. I do not think the minister or the Minister of the Environment even know if the marketplace can support another lottery. The uncertainty surrounding Cleantario leads me to believe that his government's phoney war on pollution is only a crapshoot. The minister's government continues to turn up snake eyes when it comes to the environment.

FOLK FESTIVAL

Mr Furlong: For the past 28 years, the Oshawa Folk Arts Council has annually entertained the people of the community with a celebration of its culture. Since its inception in 1961, the Oshawa Folk Arts Council has grown from an evening Mother's Day concert to a fiesta celebration that encompasses a week-long community festival.

The main thrust of the folk arts council is to promote better understanding and goodwill among all the people in the community. Oshawa's week-long fun festival welcomes more than 100,000 people and offers worldwide cuisine, international entertainment, unequalled hospitality and good cheer. A one-time purchase of a \$4.00 passport is your admission to all fiesta events starting Sunday, 18 June with the fiesta parade, which will feature more than 2,000 participants.

As the parade finishes, the 28th annual folk festival concert begins. This international presentation reflects the cultural mosaic of Oshawa. Included in the festival is Pavilion Week. This year's 26 pavilions promise six action-packed days of international hospitality.

I invite members to visit Oshawa, enjoy the hospitality, cuisine, stage shows, public dancing, boutiques, cultural displays and good

cheer. As June is Seniors' Month, it should be noted that all senior citizens are admitted to the pavilions without charge. I want to congratulate the members of the Oshawa Folk Arts Council for their hours of dedication to the task of fostering an understanding of the richness of our multicultural community.

HIGHWAY CONSTRUCTION

Mr Morin-Strom: I would like to express serious concern about the Minister of Transportation's (Mr Fulton) parochial priorities for highways in Ontario.

Yesterday, the minister announced \$690 million of new highway initiatives in the Metropolitan Toronto area, and nothing for other areas of the province; nothing for southwestern Ontario, nothing for eastern Ontario, nothing for the Niagara Peninsula and nothing for northern Ontario. The people of these other areas of the province, certainly the people in northern Ontario, would like to know what this government's commitment is to highways in other areas of Ontario. Hopefully it is not being the spokes of a wheel centred in Toronto.

In recent years, and the last two in particular, this government has committed to less than 10 kilometres of multilane highways across northern Ontario. At that rate, it will take over 100 years to four-lane the Trans-Canada Highway across our province. Surely the Ontario government must recognize that the Trans-Canada Highway particularly is ageing, and its design no longer reflects its national importance.

I urge the Premier (Mr Peterson), along with the Minister of Transportation, to make a sincere commitment to a staged upgrading of that highway. Transportation and tourism, indeed the whole economy of the north particularly, require that the Trans-Canada Highway become the first class national highway that it should be.

ASSISTANCE TO FARMERS

Mr Villeneuve: In the absence of any policy leadership and certainly in the absence of any moral and ethical leadership by the Premier (Mr Peterson) and cabinet, the Liberal Party has taken to blaming Ottawa for all its failings. This is just as true in agriculture as elsewhere.

Rural members will know that Ontario participated in jointly funding, with Ottawa, drought relief for livestock producers. Rural members, however, may not be aware that the Minister of Agriculture and Food (Mr Riddell) has not yet done the same for the crop and horticultural industries. The government should realize that a

childish turf war with Ottawa hurts no one but Ontario's farmers.

Perhaps one reason is that the Minister of Agriculture and Food has failed to get a single penny from cabinet to help crop producers who were hard hit by last year's drought. Cabinet members cannot seem to remember last summer's crippling drought in Ontario any more than they can remember Patti Starr's contributions and other activities. The Minister of Agriculture and Food is now reported to have said that he may not be making any provincial appointments to the Ontario producer review committee of the Canadian crop drought assistance program.

Ontario farmers need these appointments and provincial participation. In particular, the horticultural industry in eastern Ontario needs these appointments in order to emphasize the special circumstances of apple growers in eastern Ontario, for instance. I urge the minister and cabinet to take these needs seriously and to act to help the crop and horticultural industry all across the province.

HARRY CLASS

Mr D. R. Cooke: It is with a great deal of pleasure that I rise during Seniors' Month in Ontario to inform the members of an outstanding senior citizen in Kitchener. Harry Class is 73 years old. He started competitive swimming one year ago and is now the holder of the Ontario records in the 50-metre, 100-metre and 200-metre freestyle in the 70- to 74-year age group.

For him this is nothing new, as he has been an outstanding athlete most of his life. In 1932, he was the Canadian junior diving champion. In 1934, he won the bronze medal for Canada at the British Empire Games. He continued to be diving champion until 1943, when he entered the services. He also joined the Canadian National Exhibition sports committee, which he has served for 25 years.

1340

His career as a freestyle swimmer, however, has begun only recently. In May 1988 he began swimming competitively in his age group and in the past three months has won the following awards. In March 1989 at Troy, New York he won two New York state championships; in March 1989 at the University of Toronto he won three Ontario championships; in April of this year he won four golds in the Niagara District International Invitational Meet at the University of Buffalo; and more recently he has won four golds at the Canadian Masters Swimming Championship held in Quebec City two weeks ago. He

is currently training for the World Senior Games to be held in Utah in October.

It is with a great deal of pride that I personally congratulate Harry Class who is in the members' gallery and I hope that he can look forward to many more wins in years to come.

APPLICATION OF SCHOOL RULES

Mr R. F. Johnston: I wanted to draw to the attention of the House the case of one Ron Sondhi, an 18-year-old with bone cancer who lives in Brampton. The night before he was to start chemotherapy at Mount Sinai Hospital he went back to his high school to go to a dance, the last that he might be able to go to for some time. His high school vice-principal refused him entrance because he did not buy his ticket during the day at class. Two constables went in and argued for him. They still did not let him in. A friend got up in an assembly following this event, asked for an apology and was therefore suspended for three days for doing so.

I would ask that the minister investigate this case and get a report from the Peel Board of Education about what went on. It is the most insensitive example of authoritarianism I have seen in a high school.

STATEMENTS BY THE MINISTRY

TORONTO AREA TRANSPORTATION

Hon Mr Fulton: Yesterday I informed the House of the new package of provincial highway initiatives and new funding support for municipal roads in the greater Toronto area, I suggest to my friend, the member for Sault Ste Marie (Mr Morin-Strom). It is one of the components of this government's \$2-billion transportation capital program for the next five years.

Today I want to update members on another component, a similar plan for public transit in the greater Toronto area. It will accelerate public transit initiatives contained in Transportation Directions for the Greater Toronto Area, a document released a year ago by this government.

An efficient network of local and regional transit systems is essential to the greater Toronto area. Approximately 4 million Ontarians now live in the area, which stretches from Halton in the west, Lake Simcoe in the north and the region of Durham to the east. It is estimated that a million more people will arrive in this area in the next 10 years. A balanced system for this region must therefore encompass municipal roads, provincial highways and a mix of provincial and municipal transit.

The new Ontario budget provides an accelerated capital program of \$550 million for transit in the next five years. GO Transit represents one of the greatest single opportunities for transit improvements for all residents of the GTA. In fact, in the past five years GO Transit has carried 70 per cent of all new transit commuters into downtown Toronto. For GO Transit, therefore, our five-year accelerated-capital plan provides for an additional investment of \$400 million.

Added to base funding already in the budget, this new funding will finance several immediate and long-term improvements. Those initial improvements are an additional morning and evening train on the Stouffville line later this year—

Mr Cousens: Or Markham-Scarborough.

Hon Mr Fulton: Before my friend from Markham (Mr Cousens) applauded, I was going to suggest to him that he and I would probably prefer to call it the Scarborough-Markham-Stouffville line.

Additional bilevel passenger cars and locomotives will be ordered, and the addition of nearly 2,000 more parking spots, a 10 per cent increase for commuters who must drive a car between their homes and the GO station.

Union Station will continue to be the major focal point for the GO rail network. Consequently, GO Transit will upgrade rail and platform capacity. Those improvements will speed the flow of trains and passengers. With this new funding, GO Transit can now proceed with several longer-term projects.

The Ministry of Transportation is now ready to submit environmental assessment reports on GO expansion east to Oshawa and for enhanced service to an improved Toronto, Hamilton and Buffalo train and bus station in Hamilton.

I must reiterate the legal requirement for the completion of the environmental process, before formally allocating funds for both projects. At that time, the government will announce further details with respect to both projects.

Further, the government of Ontario will be undertaking feasibility, engineering and design studies into service expansion possibilities on several other lines. These include enhanced peak service and new off-peak service to the cities of Brampton and Mississauga and the towns of Richmond Hill and Markham. With the continued support and co-operation of the railroads, I expect to announce these service expansions very shortly.

Last year, GO Transit carried almost 31 million passengers; almost 20 per cent of these

from within Metropolitan Toronto. Ridership on the rail network is currently growing at a rate in excess of 15 per cent per year. Substantial growth will also occur in some of the municipal transit systems within the greater Toronto area.

Consequently, the accelerated funding program in the GTA will include \$150 million to enable municipal transit systems to push forward on these improvements:

Reducing the time between trains on the Yonge-University subway line in Metropolitan Toronto; by reducing the headway, we can add to passenger capacity of the existing network;

In order to relieve congestion, expansion of the Yonge-Bloor station where both lines intersect;

Supporting extension of the Harbourfront light rail transit;

Supporting all necessary work leading to, and including, construction of the Spadina subway extension from Wilson Avenue north to Sheppard Avenue;

Transit improvements in the Sheppard and Finch Avenue corridors, including a grade-separated bus station at Yonge and Sheppard and improved turning capacity at the same site;

Increased cross-boundary bus services;

New buses and garages for transit systems throughout the GTA, and

Support for more fare integration, service co-ordination and gateway development.

Of course, Ontario continues to support Metropolitan Toronto's plans to protect the Sheppard subway corridor. Honourable members may recall that Metro sought to protect the corridor from Yonge to Victoria Park Avenue. We have gone one step further, providing \$1 million to protect the entire corridor from Yonge to the Scarborough City Centre.

Included in the new allocation for both provincial and municipal transit, over \$100 million will support the purchase of "rolling stock"—passenger cars, street cars, diesel locomotives—for systems within the GTA.

We are further ready to fund transit improvements to Pearson International Airport. We have already asked the federal government for its firm commitment to an airport transit facility to link with ours.

With this statement, the provincial government reaffirms its commitment to working with municipalities in developing an ongoing, affordable program of transit and rapid transit development in the greater Toronto area.

Transportation Directions for the Greater Toronto Area was a document developed in close

consultation with municipalities in the GTA. It indicated those projects which should be done in a financially sound fashion. Yesterday and today, we have said how these projects will be done.

1350

PERINATAL CARE

Hon Mrs Caplan: I am pleased to inform the House today that my ministry will be introducing a number of innovative programs to ensure that a comprehensive network of care exists for mothers and babies before, during and after birth.

These programs, totalling more than \$2 million, include: the establishment of birthing centres outside hospitals so that women with low-risk pregnancies will have more choices in the kind of care available to them; home support programs for mothers leaving hospital early after uncomplicated deliveries and for those bringing babies home from intensive care nurseries; community-based health promotion programs to reduce the number of premature births, and the appointment of a provincial co-ordinator of maternal and newborn health.

We have a very good hospital care system with highly sophisticated, technologically based services for high-risk pregnancies. As I have said on many occasions, we are always seeking to make improvements. My ministry also wants to increase the emphasis on flexible, family-centred approaches for the approximately 85 per cent of mothers who have low-risk pregnancies.

I believe that establishing out-of-hospital birthing centres in Ontario gives us a clear opportunity to increase our community-based services.

My ministry will provide funding for three out-of-hospital pilot birthing centres once the Independent Health Facilities Act is passed. The act, which will enable the government to develop and regulate community-based facilities, allows us the opportunity to license birthing centres and assure quality services.

Aside from offering home-like surroundings with minimized medical intervention, birthing centres provide extensive education and care throughout pregnancy, birth and early parenthood.

As well, my ministry will allocate \$1.5 million to developing pilot community-based health promotion programs aimed at reducing the rate of premature infants and low-birth-weight babies. These programs will include social and emotional support for specific high-risk groups, such as low-income and teenaged mothers.

My ministry also plans to provide \$600,000 for two pilot projects, one to provide homemaking and nursing visits to allow women to return home earlier from hospital after normal births. The second one will provide home helper services for mothers who have brought home babies from one of the province's specialized perinatal units for higher-risk births.

I am also pleased to announce that a provincial co-ordinator will be appointed to direct current and future activities in maternal and newborn care. The co-ordinator will be assisted by an advisory committee composed of health care professionals and members of the public.

Our government recognizes maternal and newborn care as being vital to the future of Ontario and it is identified as one of the specialty health care areas announced in the recent throne speech. We will be following with other initiatives this year as part of our commitment to ensure that expectant mothers and their families receive the best available services.

UNIVERSITY FINANCING

Hon Mrs McLeod: I am pleased to announce today that up to \$46.7 million in additional operating funds will be provided to Ontario universities in 1990-91 to support increased enrolments.

Full-time, first-year university enrolments have increased significantly during the last two academic years, 6.5 per cent in 1987 and 5.7 per cent in 1988. The record high levels of university applicants have been funded by the government's special accessibility funding, which totalled \$36 million in 1988-89 and \$88 million in 1989-90. This \$46.7 million for 1990-91 will then be further to the \$88 million now committed in the present budget.

Today's announcement reflects this government's ongoing commitment to accessibility funding to Ontario universities. Universities will be able to accept student applications for next fall in confidence that we are continuing to accommodate record high levels of growth in the Ontario university system.

I would like to say that I am delighted to be able to demonstrate once again this government's commitment to post-secondary education.

EMPLOYER HEALTH LEVY

Hon R. F. Nixon: Even further good news:

In the budget presented a month ago, I announced the elimination of Ontario health insurance plan premiums and the introduction of

the new employer health levy, effective 1 January 1990.

The budget indicated that the instalment schedule for certain small employers would be examined. The purpose of the examination was to minimize the compliance costs associated with the employer health levy for small employers.

With the completion of this review, I am announcing that employers with annual payrolls of up to \$400,000 will not be required to remit monthly. Small employers will be able to remit the employer health levy on a quarterly basis starting in April 1990. Therefore, quarterly remittances will be available to about 85 per cent of all employers in Ontario.

Quarterly remittances provide small employers with greater cash flow flexibility and reduced administration and compliance costs.

In addition, the 1 January 1990 implementation date of the employer health levy overlaps the fiscal year of hospitals, colleges and universities, as well as certain provincially funded, nonprofit social services and health agencies. These institutions, which rely heavily and in some cases exclusively on provincial funding, have already set their budgets for 1989-90 and have virtually no capacity to absorb the impact of the employer health levy in their budget for this fiscal year.

Therefore, the government will provide these provincially funded institutions with approximately \$23 million in transitional assistance, in recognition of the net impact of the employer health levy for the period January to March 1990.

As I indicated to the House on 23 May, the impact of the employer health levy on transfer agencies will be among the factors taken into account in fiscal year 1990-91, when funding priorities are established and announced this fall.

RESPONSES

TORONTO AREA TRANSPORTATION

Mr Morin-Strom: The Minister of Transportation (Mr Fulton) should be renamed the Minister for Greater Toronto Transportation. Again, he has committed virtually the lion's share of the funding for transportation initiatives in Ontario to the greater Toronto area: in this case, another \$550 million on top of the highway initiatives yesterday.

I am surprised, though, that the minister has not made a further commitment to rapid transit within the greater Toronto area, in comparison with the initiatives he announced yesterday with respect to highways. The minister and his government obviously are not willing or able to do anything about the urban sprawl in the city of

Toronto and want to continue to promote it at all cost, and the cost to the province is going to be absolutely tremendous.

Some of the initiatives that have been made today are ones that have been long awaited by residents of the Toronto area; in particular, those with respect to GO Transit are ones that will be welcomed by certain parts of the area and that have been long advocated by responsible representatives of this Legislature.

However, the minister does not address problems such as parking problems, particularly the congestion at Union Station. Union Station is a disaster area. The minister has to do something about the congestion that commuters are facing daily in Union Station and should look at meeting with the representatives of the Metropolitan Toronto council, in order to come up with a responsible long-term solution to the Union Station problem and ensure that adequate and quick transportation is available to residents in the Toronto area.

As well, of most serious concern when it comes to the Toronto Transit Commission is the fact that the minister has committed no funds in his five-year plan to the construction of the Sheppard line. Surely this should have been the number one priority in terms of new rapid transit lines in the Metro Toronto area, and the minister has put it on hold for another five years with no commitment to that particular line. This minister has a long way to go in order to meet the real transportation needs of Metro Toronto, and it is about time he did something about it.

1400

PERINATAL CARE

Mr Reville: The Minister of Health (Mrs Caplan) makes an important announcement today, first at the Salvation Army Scarborough Grace General Hospital, second in the Toronto Star final edition and finally here in the Legislature.

Until a very short time ago this minister and many ministers before her steadfastly refused to believe that it was possible for a woman to give birth outside a hospital delivery room. I am delighted that today the minister has stood in the House and said, "I have listened to mothers and fathers, I have listened to midwives and home birth doctors and I am going to change the policy of this government."

I want to thank the minister for that and say that she should consider very strongly the advantages of such an approach in communities such as those along James Bay, which have the

highest birth rate in North America and where a young mother from Kashechewan or Attawapiskat is flown over 1,000 kilometres to Kingston, Ontario, away from her home, away from her culture and away from her language, to give birth under the lights of an operating theatre with staff who do not speak Cree. I think an ideal start would be to go up to James Bay and talk to the band councils there about getting a birth centre project going.

I also think it would be a cruel irony indeed if the Toronto Birth Centre, which has been one of the leaders of the fight for alternative birthing arrangements, were not to get funding under this proposal. I understand the minister is looking for high-growth areas, but there are very many mothers and fathers who would like to have their children in a noninstitutional setting right here in Toronto, and I hope that proposal call will go to them as well.

EMPLOYER HEALTH LEVY

Mr Harris: I would like to respond to the Treasurer (Mr R. F. Nixon). The Treasurer says that what he is doing will save small employers a total of \$190 million. I condemn the arrogance and the audacity of a Treasurer who brings in a new tax, about \$250 million, on small employers and says, "Because I could have made it even higher than that for you, I'm saving you some money." It is a new tax of \$250 million.

Second, the Treasurer talks about \$23 million in transitional aid—that is not permanent; that is temporary. The estimate of the true cost of this tax to the employers is in the area of \$82 million of those that are receiving transfers: no help for municipalities, no help for school boards, no help for others that have indicated they are being impacted negatively.

With this budget we have seen backtracking now in the commercial concentration levy, backtracking on the tire tax and now trying to tidy up the employer health levy. It is a back and fill constant process of change, obviously a very poorly thought out budget.

PERINATAL CARE

Mr Jackson: Regarding the announcement of the Minister of Health (Mrs Caplan) on maternal and newborn care, it is clear that every single member of this Legislature supports the principles of community-based health care and the deinstitutionalized approach to health services.

However, while the Toronto Star was announcing today how we are going to deal with low-risk pregnancies, yesterday the Toronto Star

carried an effective article about high-risk pregnancies. It talked about a study of Ontario's 10 neonatal intensive care units. In that article, it makes it very clear that, "The problems in staffing have worsened and the situation has markedly deteriorated." It goes on to say that, "If nothing is done about the staffing shortages, programs of care for the smallest and sickest babies could collapse in this province."

It is clear that this government will focus, rightly so, on low-risk babies. But we are in an increasing pregnancy period, a period of a growing birth rate in our province's history and, quite frankly, the minister has failed to deal effectively with the real risks associated with those unborn children, whose first entry into society is at high risk. This government has not made the commitment to improve the nursing shortages and to ensure an adequate supply of doctors.

Why has the minister closed the intensive care unit beds at Toronto's Hospital for Sick Children? That has been reduced from 23 beds to 14 because of the minister's funding. That is the so-called balanced approach to this situation.

TORONTO AREA TRANSPORTATION

Mr Cousens: There is no doubt that the government has to face up to the transportation crisis in and around Metropolitan Toronto and greater Metro. We have to get people off the roads and on to public transit. The more we can do that, the more we will ease the congestion.

I compliment the minister on the fact that we had one good announcement today for the north-south line through into Markham and Stouffville. We need to have far more of that kind of service because we are growing far faster than the services are growing. There is a real dearth of planning going on with the ministry in meeting the needs of Metro Toronto.

We are going to have BCE Place opening, the ballet theatre, and SkyDome, Harbourfront condos, the Olympic Games coming in 1996 and then Expo 2000. Everything is happening in Metro Toronto. We had better start putting the dollars out so that people in Toronto and the greater Toronto area can start to have the improved services they have to have.

We must build the subways; let's make the investment. The future requires that now.

Mr Cureatz: The Minister of Transportation does not mind giving a whack at the Tories from time to time, saying that we underfunded highway construction over the years we were in power. He forgets to tell us in his statement that it

was the Conservative government that instituted the GO Transit system. I would appreciate some compliments from him about that from time to time. He does not mind coming out for the opening of the GO station in Whitby.

Speaking of the expansion of highways, he should have some foresight and expand Highway 401 up to Highway 115 and Highway 35, not to mention Highway 2 from Courtice out to the village of Newcastle. I do not think he is giving me the money because I am in opposition, but he does not mind throwing it around to his Liberal backbencher friends. Interestingly enough, he is proud about the GO Transit expansion, but what about the increase in fares just announced?

Mrs Marland: I would like simply to say that there is nothing in the statement of the Minister of Transportation about improvements for people who have to travel from the west, even though we had a nice conversation—

The Speaker: Order. That completes the allotted time for ministerial statements and responses.

ORAL QUESTIONS

CONDUCT OF CABINET MINISTERS

Mr B. Rae: In the absence of the Premier (Mr Peterson), I want to ask a question of the Minister of Culture and Communications. Two weeks after she apparently heard of the contract between Mrs Starr or between Mrs Starr's organization—we do not know exactly which one—and her mother, she has made public the letter that she wrote to Mr Justice Evans, the Conflict of Interest Commissioner. In the minister's letter dated 7 June, she says:

"Two years ago, when asked by Mrs Patricia Starr for the names of people who could do clerical work for a mailing in Hamilton, I said that my mother did this kind of work. My mother has told me that she was paid \$5,000 to do some work for Mrs Starr."

Since she apparently has had a conversation with her mother about the contract, I want to ask the minister if she is now in a position to tell us what the \$5,000 was for precisely, precisely who paid this money to her mother and precisely when was this money paid.

Hon Ms Oddie Munro: As I have indicated on several occasions in the House, when I received the inquiry from Mrs Starr, I was not aware of the nature of any working agreement or a contract—I think "contract" is your terminology. The first occasion when I heard that any working arrangement had taken place with my

mother, and the allegation that it was with the National Council of Jewish Women of Canada, was in the press.

On reading the story in the press, I contacted my mother and asked if she knew there was an article involving her in the *Globe and Mail*. My mother does not get the *Globe and Mail*, so I read the article to her.

I asked what the context was in which she had discussed or talked to the *Globe and Mail*. She said she had received a phone call the previous week from a reporter doing a story on the National Council of Jewish Women in Canada. In my inquiry, I simply asked what was the nature of the work that she had done. She said she had done mailings and confirmed addresses, and she confirmed that the total amount of money was \$5,000.

1410

Mr B. Rae: She confirmed that there were some mailings; I am not quite sure what that means, whether it means that one simply takes mail down to a postbox or precisely what is involved. She confirmed addresses, which I take it means looking up some addresses in a phone book. She confirmed that she was paid \$5,000. Has the minister any idea how many hours her mother spent on this work?

Hon Ms Oddie Munro: No, I have no idea of the number of hours. She said it took place over a period of between four and five weeks.

The Speaker: Final supplementary.

Mr B. Rae: She still has not told us when this work was performed, when the cheque was paid and who paid the cheque.

Since Mr Justice Evans has already indicated that he is not going to be conducting an investigation until such time as the OPP has completed its work, I wonder if the minister does not feel a certain obligation to get these facts out, to make them very clear and to determine all the facts before the House as well as before Judge Evans.

Can she tell us exactly which one of Mrs Starr's many organizations paid the cheque—

The Speaker: Thank you.

Mr B. Rae: —exactly when that cheque was paid and—

The Speaker: Thank you.

Mr B. Rae: —how many hours of work was performed?

The Speaker: Thank you. That is quite a number of questions.

Hon Ms Oddie Munro: I have no knowledge of the organization or the source of the cheque. I have indicated to my mother in conversation that there is an investigation which will be conducted through the direction of the office of the Solicitor General and that she should make statements known if contacted by anyone connected with that particular investigation.

The Speaker: New question.

Mr B. Rae: I think we are entitled to that information—

The Speaker: To which minister?

POLITICAL CONTRIBUTIONS

Mr B. Rae: By way of supplementary, or additional question, I have a question for the Minister of Consumer and Commercial Relations on a related subject; I know it is not a question that he wants to get, but I am afraid it is his turn.

I wonder if the minister can confirm, in his responsibilities as the Minister of Consumer and Commercial Relations, that when the Election Finances Act says about the people who can contribute to an election campaign that contributions to political parties will be made under the act "only by persons individually, corporations and trade unions," the corporations referred to in that Election Finances Act would either be corporations registered in Ontario or registered federally. Is that correct?

Hon Mr Wrye: I believe that is correct.

Mr B. Rae: My staff has completed, over the last two days, a search of a corporation described in material provided to us by the Election Finances Commission as Starr Systems Ltd of 45 Riderwood Drive, Willowdale, which happens to be Mrs Patti Starr's home address; it is listed as a corporate donor. I wonder if the minister can explain why, when we did a search of this apparently or allegedly limited company, it was not in fact registered as an Ontario corporation and not registered as a federal corporation.

Hon Mr Wrye: I do not check out every return from every contributor to any of the parties or any members of the Legislature or indeed anyone who receives a contribution. I cannot explain that. I will simply take the word of the Leader of the Opposition that in his search he has discovered that and ask him to ask his final supplementary.

Mr B. Rae: It would be of concern to me, as I am sure it would be to any member of this House, if it was discovered that a search was done of a number of corporations and we found that in fact these corporations did not really exist, or at least

did not exist in order to perform any function and in some cases were not even registered.

I wonder if the minister could explain how it would be possible for a company to be listed under the Election Finances Act as a corporation that is making a corporate donation to the Liberal Party—in 1987 and 1988 it made a donation in total of \$12,000 to the Liberal Party of Ontario; it also donated \$500 to the Scarborough North Liberal Association—and the corporation would not turn up in any search of either federal or provincial records of companies doing business in Ontario.

Hon Mr Wrye: I would only say to my friend that I understand the implications of his question. I would say that all of us on all sides of the House have on occasion received, and do receive, substantial amounts of money with which it is necessary to run not only our campaigns, but to support the members of our riding associations between elections as they go to conventions and otherwise. I do not know how they do it over there, but I support the members of my association when they go to very expensive events.

I say to my friend that I share an understanding of his concern that those who are involved in these matters will, I am sure, take a look at the information the member has raised. I will certainly ask my officials to take a look, and can share with the member in correspondence what we find, but I say to my friend that I hope that as I answer this question, the election finances—

The Speaker: Thank you. [Later]

Mr B. Rae: On a point of order: I have to make an apology to the House. I gave the House certain information which was incorrect and I wanted to correct the record as soon as it was drawn to my attention. Earlier in question period I asked a question of the Minister of Consumer and Commercial Relations, where I indicated that a company under the name of Starr Systems Ltd—two words—did not appear in the records of the Ministry of Consumer and Commercial Relations or in the records of the federal government. That is how the company is listed in the election finances reports which were given to us: as two words.

I have been advised, and I want to apologize to the House because I obviously do not like to give out information which is not correct, that in fact there is a company by the name of Starrsystems—which is one word—which is at 45 Riderwood Drive, Willowdale. I thereby fully apologize to the House.

1417

Mr Brandt: My question is for the Deputy Premier and Treasurer. As the Deputy Premier is aware, there are now four cabinet ministers, the Minister of Culture and Communications (Ms Oddie Munro), the Minister of Housing (Ms Hošek), the Minister of Industry, Trade and Technology (Mr Kwinter) as well as the Minister of Skills Development (Mr Curling), who have received potentially illegal contributions from Patricia Starr. I wonder if the Deputy Premier, because of his knowledge of how these things happen, could advise this House how Ms Starr was appointed chairman of Ontario Place and on what basis that appointment was made.

Hon R. F. Nixon: I think the honourable member used the proper adjective when he said “potential,” and I think he is also aware the matters have been referred to the appropriate public authorities for examination, including the Ontario Provincial Police. As far as the appointment is concerned, it was done by order in council.

Mr Brandt: In addition, I might add to the Deputy Premier that the member for St Andrew-St Patrick (Mr Kanter), the member for Kingston and The Islands (Mr Keyes) and the member for Lawrence (Mr Cordiano) have also been implicated in these potentially illegal contributions.

Hon Mr Scott: You haven't mentioned Susan Fish.

Mr Brandt: The Attorney General can mention anyone he likes during the course of his statements. This is my opportunity.

The executive director of the charity Ms Starr was involved with indicated, and I quote her directly, “We got hoodwinked by her.... We're getting dragged through the mud,” which is an understatement. That was my editorial comment.

Would the Deputy Premier, who is also a member of the executive council involved in the decisions to appoint individuals of this kind, inform the House if Heather Peterson, who is a paid employee of the Ontario Liberal Party and works out of the Premier's office, recommended Ms Starr for the position of chairman of Ontario Place?

Hon R. F. Nixon: I do not know that she did.

Mr Brandt: That is not very helpful, but if the Deputy Premier finds out perhaps he could share that information with the House.

During the course of the discussion we have had surrounding this entire issue, we have had a great deal of concern indicated, I say to the Deputy Premier, about the numbers of people

who have directly or indirectly, through various and sundry means, received financial support through the efforts of Ms Starr, to the extent that the Premier (Mr Peterson) of this province has asked all the members of the Liberal Party, cabinet and backbenchers included, to review very carefully their election financial returns to determine whether or not contributions were made in their names and to their accounts.

The Speaker: Question?

Mr Brandt: We have reached such a staggering level with this particular incident that it may save this House a lot of time and save the people of Ontario a lot of money if we could simply have the cabinet ministers and the MPPs who have received money from Ms Starr raise their hands and let us know.

The Speaker: Order. I did not hear a question, so new question?

Mr Harris: I suggest to my leader that it might have been easier if all those who did not receive money put up their hands.

Interjections.

The Speaker: Order. The question is to which minister?

Hon Mr Kerrio: Stand up if you got a contribution.

CROWN LAND

Mr Harris: I have a question to the Minister of Natural Resources, who just interjected from his place.

In April 1987, the Premier (Mr Peterson) announced a new crown land policy and program called crown land as a development tool. It involves 15 provincial ministries. The minister said in February, "We have never, ever considered selling blocks of crown land to either Canadian or US developers." Could the minister explain why his officials are now secretly negotiating with US interests to sell off and develop large tracts of prime lakefront crown land in Ontario?

Hon Mr Kerrio: CLADT was put in place to make up for the former government deciding that the people of Ontario should not be able to buy crown land. I feel very proud that we took that initiative and that we did have some shelf lots that had been frozen. We were going to put them out there so people could buy crown land for cottaging, for small business and doing those things.

It was never the intent of this government to allow outside people to buy any kind of land of any consequence. I have made that statement in

this House before. I make it again, and I just question the validity of this member, who appears to be running for the leadership of that party, to try to stick us with that kind of information that is patently not true.

Mr Harris: I want to thank the minister for the plug. However, I do have a supplementary question. Today, I am releasing the results of an undercover investigation completed by a Canadian newspaper whose official, posing as a major US developer, met with the minister's officials.

It reveals that confidential information the minister refuses to make public is being given to US developers by the ministry's officials, namely, that consultants have been hired and directed to explore sacrificing designated lakes to development interests; that the minister's officials are advising US developers to set up a Canadian shell corporation to mislead the media and the public about foreign ownership, and that the Liberals will shorten the timing of the environmental assessments under the Premier's new crown land policy from three years to 60 to 90 days to facilitate foreign development.

How does the minister explain those facts?

Hon Mr Kerrio: I have not changed my mind at all about what I have told the member. There was an interview by someone who posed as a buyer to someone in my ministry who gave the kind of confidence that that was the case. I, at the ministerial level, tell the member that is not the case. The individual who gave that information gave the wrong information. If the member thinks that by standing up there and making that comment it is going to stick, he is wrong.

Mr Harris: The minister's officials told the pseudo-developer to keep the information he received confidential, and suggested lobbying the Premier, the minister and the deputy, among others, for support. Why is the minister telling the public one thing and the man, the civil servant who he as minister appointed to carry out his policy, the policy the Premier indeed announced, appointed by the minister, why is he telling the public one thing and something very secret and very different is being told to US developers?

Hon Mr Kerrio: I do not know how much clearer I can make the issue. If some individual speculated on what he or she thought the CLADT program meant, I am clarifying for the member today that that is not the case, that the person who gave that kind of information gave the wrong information. I have from day one suggested to anyone who was willing to listen that our land is not up for grabs by any large US purchasers. I tell him that now and I tell him that is the program

and that is the way it is going to be. He does us no favour when he makes the kind of insinuations he makes, which are not true in any sense of the word. I wish he would get the facts before he goes out talking about the issues.

The Speaker: New question.

Mr B. Rae: I have a question for the Deputy Premier.

Interjections.

The Speaker: Order. The Minister of Natural Resources completed the response. New question, the Leader of the Opposition.

ORDER-IN-COUNCIL APPOINTMENT

Mr B. Rae: I have a question for the Deputy Premier. In a previous incarnation, the Deputy Premier, when he was in opposition, negotiated an agreement with our party that led to the formation of the Liberal government. In that document, which I am sure the Deputy Premier will recall because he was so instrumental in negotiating it, one of the principles was that order-in-council appointments should be reviewed by a parliamentary committee, that there should be a full discussion of those appointments and that they should be subject to some scrutiny and discussion.

In one of the tragic transformations of the last few years, that did not happen. The Liberal government decided it was not going to allow that to happen. But I wonder if in the spirit of that accord he personally was so instrumentally involved in, he would not think it now fair and right that all documents and materials relating to advice given to the government on the appointment of Mrs Starr to a senior government appointment, the chairmanship of Ontario Place, should not be made part of the public record and indeed be made public so we can see precisely how it is Mrs Starr made it so quickly to the top.

Hon R. F. Nixon: At this point, that is not the policy of the government, as the honourable member knows. I used to keep a copy of the accord with me because I found that if I did not, I would have to send for it. At this stage, it is our feeling that we have lived up to our commitments in that accord and I would think in many respects the members of the New Democratic Party would not only be pleased but proud of their accomplishments in this regard.

Mr B. Rae: I am delighted to listen to the—

Hon Mr Scott: Why don't you ask for the Martel file or the McClellan file? There are some really interesting letters in those files.

Interjections.

The Speaker: Order; supplementary.

Mr B. Rae: Thank you, Mr Speaker. I appreciate the agitation of the senior law officer of the crown with respect to what is going on and I always appreciate his heckles, but I do want to come back to the point I raised with the Deputy Premier.

We have a process of appointments where Heather Peterson is paid by the Liberal Party of Ontario—as everybody knows, it was the Premier's (Mr Peterson's) own determination that this was the way he wanted to do it—and she makes the recommendations on order-in-council appointments. What we are suggesting is that the Deputy Premier should ask or seek that all information relating to the appointment of Mrs Starr be made public. He negotiated an accord that would have required that if the Liberal Party had lived up to it. All I am asking is that he now see that be done in this particular case, and I might add, in all cases related to senior appointments of this kind.

1430

Hon R. F. Nixon: I did not detect a question, particularly. It was a piece of advice which I think is interesting. In my view the honourable member does not clearly understand the role of Mrs Peterson in this connection. I believe that it is her responsibility to look at the correspondence from many, many people who request appointments and are glad to send their curricula vitae to the government.

The Premier and the members of the cabinet rely on her doing that work for them. But as for the recommendations, these are matters for the executive council and specifically, in most cases, they are recommendations of the head of the government himself. That is the way it has been done and continues to be done around here.

Mr Brandt: My question is to the Deputy Premier on the same subject. On the basis that his party agreed to handle these kinds of appointments in public, it would appear to be fair for me to raise the question with him in regard to the qualifications of Ms Starr, and also the linkage between Ms Starr and whoever recommended her for the particular position that she took on, leading to a great deal of the complications that we are addressing at this time in this House.

Could the Deputy Premier agree to share with this House the information with respect to who made the recommendation in regard to Ms Starr's appointment and also, who made the final

decision giving her the position of chairman of Ontario Place?

Hon R. F. Nixon: I do not have that information. Trying to cast my mind back to the discussions at the time of the formation of the government, I believe the discussions really hinged on major appointments. While the member might be quick to say that this obviously is one of those, I am not so sure that there is general agreement. There are many appointments made under the responsibility of the executive council.

I do not have the specific information that the member is talking about. I do not know whether any exists and I am not undertaking to provide it to the honourable member.

Mr Brandt: I think the Deputy Premier has an obligation and in fact a responsibility to this House to provide as much information as is available surrounding the issue related to Ms Starr.

There are a number of cabinet ministers, a number of backbenchers in his government, who are implicated by this particular individual's activities relating to the most convoluted funding mechanisms that I personally have ever seen in close to 20 years in politics.

I say to the Deputy Premier that he has an obligation to provide this House with details regarding Ms Starr's appointment. Is he prepared to do that?

Hon R. F. Nixon: The answer really is that we have trusted officials whom the honourable members of this House supported at the time of their appointment and continue to support and who are responsible for reviewing donations and contributions for election purposes, for conflicts of interest relating to all members and particularly for cabinet ministers.

Along with the police, those are the people who are investigating this matter. The honourable member has the right to ask any questions he wants but, from my point of view, those are the officials who are undertaking the independent review of this matter.

ACID RAIN

Mr Adams: My question is for the Minister of the Environment. The four major sources of acid rain in the province—Ontario Hydro, Inco, Falconbridge and Algoma Steel—have submitted their final plans to reduce acid rain province-wide by 60 per cent by the year 1994.

These reductions are required under the Countdown Acid Rain program that the government developed a couple of years ago. Countdown Acid Rain exceeds Ontario's commitment

to the federal-provincial agreement calling for a 50 per cent abatement of sulphur dioxide in eastern Canada.

Can the minister now say whether the companies are able to meet these strict reductions required?

Hon Mr Bradley: The evaluation of the officials of the Ministry of the Environment in fact indicates—as was indicated in each one of their own reports which were forthcoming at the end of 1988 in the case of three, and at the end of the first month of 1989 in the case of the fourth—the companies all in fact will be able to meet it.

The member will recall that some of them had a press conference at the time indicating that they would be able scientifically and technically to meet the requirements that the ministry had set forth and that in fact they would be able to do it utilizing their own funds.

The member is quite correct in assuming that Ontario has gone beyond the national program, which called for 50 per cent cuts in eastern Canada and went, in fact, to a 60 per cent cut overall in Ontario.

In addition to that, of course, we are in a position where we have made further comments to the companies on how we think they can be most effective. Inco is required, as the member knows, to go from 1,158 kilotonnes to 265 kilotonnes, for instance; Falconbridge from 154 kilotonnes to 100 kilotonnes; Hydro down to 215 kilotonnes of SO₂ and NO_x and Algoma to 125 kilotonnes.

Mr Adams: As the minister has completed the technical reviews of the company reports, is he then in a position to explore the companies' use of new reduction technologies?

Hon Mr Bradley: One of the things that we required, in fact, was that they look at the technologies which would be available to do this. Of course, the members will recall, in the discussions in 1985, that there was an indication from the companies and many naysayers around who said that, in fact, this could not happen: that (a), it was technically and scientifically impossible, and (b), that they would not have the money to do it.

In fact, the largest emitter of acid rain in Ontario, Inco, indicated it would be spending close to \$500 million in its reduction program. I think it is worth noting that in doing so, we will be able to put forward what I consider to be a more efficient operation.

I want to indicate very clearly that we also required they study all the technologies; that they

look, for instance in the case of Hydro, at different kinds of scrubbers they would use and that they look at what I consider to be a most effective way of reducing emissions, that of conservation. I know the Minister of Energy (Mr Wong) has been instrumental in indicating very clearly to Ontario Hydro that conservation is one of the options which, in fact, should be pursued.

When we go to other jurisdictions, this program—

The Speaker: Thank you.

POLITICAL CONTRIBUTIONS

Mr Kormos: I have a question for the acting Solicitor General. Douglas Edgecumbe indicated that he mailed a letter to the Solicitor General some two months ago outlining and detailing an illegal political contribution to one of the government's own cabinet ministers.

That information was in the Solicitor General's ministry two months ago. The acting Solicitor General told us yesterday that he only just became aware of it after the press reported the letter had been sent.

How is it that this serious allegation could have been suppressed, could have been covered up in the Solicitor General's ministry for so long?

Hon Mr Scott: There was no evidence that it was suppressed. I became the acting Solicitor General only a few days ago and it was brought to my attention by the Deputy Solicitor General that this letter existed. He said what he proposed to do with it and I told him—

Mr Kormos: Surely, everybody in that ministry was not so Starr-struck that the matter was simply left aside? How is it that this most serious allegation could have been brought to that ministry's attention yet it did not prompt a call for an investigation when it was received? It was only after it was published in the press, only after it was unavoidable for the acting Solicitor General to confront it, that an investigation was ordered. How could that have happened?

Indeed, the question is, is there an investigation being asked for—

The Speaker: Thank you. You have already asked the question.

Hon Mr Scott: I do not know whether it happened. All I can tell the honourable member is what happened when the matter was brought to my attention. When the matter was brought to my attention by the Deputy Solicitor General yesterday morning, he told me what he proposed to do and I agreed that what he proposed to do was the appropriate thing to do and it was done.

1440

CROWN LAND

Mr Harris: I would like to go back to the Minister of Natural Resources. The minister has disputed the information that I have placed before him today. The information that I have placed before him is quoted extensively in a national newspaper; also quoted extensively is a Paul King.

I wonder if the minister could confirm that Paul King was appointed by the ministry to be the co-ordinator of the crown land as a development tool program. I wonder if he could also tell us if he is saying that Paul King did not give all this information out to a prospective United States developer or if he is saying that Paul King somehow or other was acting on his own without direction from the minister. If that is the case, is he still in the employ of the Ministry of Natural Resources?

Hon Mr Kerrio: I would start at the back end of that and tell the member that he is no longer involved in the capacity, because he simply gave out the wrong information.

Mr Harris: I wonder if the minister could further comment on who approved the hiring of consultant Christopher Rees, who introduced an Outline of Development and Marketing Strategy to the Whitney implementation team and, under the heading of "Resolution of Key Issues," wrote "‘sacrifice’ certain ‘trout lakes’ and allow residential and/or cottage development in more intensive clusters" on designated lakes.

When he was asked why he put this into the proposal, Mr Rees indicated the topic had been suggested by the Whitney town council and the Algonquin district MNR staff. I wonder if the minister denies, now, that this consultant was appointed, that he was advised by the MNR staff and that this indeed was the direction he was told to go in.

Hon Mr Kerrio: Just so there is no mistake, the comments allegedly made by Paul King—and I am not sure how accurate they are—do not reflect the CLADT program. The CLADT program was meant to help northern Ontario economically.

Mr Harris: How about the consultant who was hired? Is that the direction of this government?

Hon Mr Kerrio: I listened to the member when he put his question. Why does he not keep quiet while I answer it?

Mr Harris: Because you're not answering the question.

The Speaker: Order.

Hon Mr Kerrio: I am going to answer the question if the member will give me a few minutes.

Mr Harris: I asked about the consultant. Is this the direction he was given?

The Speaker: Order.

Hon Mr Kerrio: I am suggesting that CLADT had a very valuable program for the north, to free up crown land for cottaging, small hydraulic and small commercial ventures. It was never meant to accommodate the Americans, which is what the member started out by saying. I tell him that is not true.

The fact of the matter is that where we have attempted to open up crown lands, the Ministry of the Environment very properly wants to examine the lakes in the area to decide whether we could put more cottaging in a given area. We think that is very responsible. Until we come to those conclusions, we will not be able to free up some of that crown land. We are examining it in a very responsible way. We are taking crown land to be able to move it as an economic benefit to northern Ontario, and whatever the member has in his hand is not appropriate.

The Speaker: New question. The member for Oxford.

Hon Mr Kerrio: Don't twist this issue. You're trying to do that and you're not going to get away with it.

Mr Harris: It says here the officials of Algonquin Provincial Park—did they give direction, yes or no?

The Speaker: Order. I have recognized the member for Oxford for a new question.

RETIREMENT

Mr Tatham: My question is for the Minister without Portfolio responsible for senior citizens' affairs. The January 1989 Demographic Bulletin of the Ministry of Treasury and Economics says that the 65-plus age group will be the fastest-growing age group over the next 25 years; it will increase by 86 per cent between 1986 and 2011. In 2011, people aged 65 and over will comprise 16 per cent of Ontario's population compared to only 11 per cent in 1986.

Seniors want to remain active and independent beyond 65. Does the minister feel that retirement impedes an individual's ability to remain actively involved in the community?

Hon Mrs Wilson: I would like to thank the member for Oxford for his question. There are many people who view retirement as an opportunity, while there are many others who have indicated to me that they wish to remain active and involved long after the age of 65. While evidence would indicate that only a small number of people would actually opt to continue their current employment after age 65, many older people tell me that the opportunity to make that choice is important to them.

Currently, the issue of mandatory retirement is before the Supreme Court of Canada. They are hearing an appeal regarding earlier Ontario court rulings. The hearing has generated a great deal of public interest and I am certainly awaiting the court's decision with interest as well.

Mr Tatham: Tom Williams was still flying his own airplane at 85. Canon John Davies stood at the cenotaph on 11 November taking part in Remembrance Day at 100 years of age. Many people nearing the retirement age of 65 would like the opportunity to continue to remain active and involved in their communities. What advice does the minister have for these individuals?

Hon Mrs Wilson: Our older Ontarians continue to make a significant contribution to the fabric of our province long after they have reached the age of 65. It used to be when a person retired, we said, "Sit down; relax; put your feet up." But we do not do that any more. Seniors want to remain active and independent and many are starting new careers, starting businesses, going back to school, travelling, writing books, spending time with grandchildren.

One third of Ontario's million seniors are volunteers contributing to their communities. Through these activities, older people in Ontario are providing role models for all ages and are debunking the myths and stereotypes that used to surround ageing.

POLITICAL CONTRIBUTIONS

Mr Kormos: Again to the acting Solicitor General, Mr Edgecumbe wrote a letter to the former Solicitor General some two months ago containing a very serious allegation about a very serious offence implicating, of course, one of the government's own ministers.

Perhaps the acting Solicitor General will tell us when that letter was received by the ministry and what happened to it? What was done with it for that period of time until it was finally shown to him yesterday morning?

Hon Mr Scott: I should tell the honourable member that the best I have been able to ascertain

over the last day is that there is no evidence the letter was received in the office of the Solicitor General, which is to say it had not been logged as entered in the normal way of correspondence.

When we were saying, "Well, where is it? Even if it has not been logged, is it here? Where would it be?" someone said: "Look, this letter registers an objection, almost a very grave objection, to an appointment. Why not ask the appointments people if they got it?" They did not get it, but one of them had a copy of it. It was in that way the letter came to my attention.

Mr Kormos: Is this the beginning of a pattern? Is that what is going to happen to letters sent to the Ministry of the Solicitor General that put the finger on the government's own cabinet ministers? Are these letters routinely going to be misplaced and not logged? Is that going to be the way out? Is that going to be the copout? Is indeed this a pattern—

The Speaker: Actually, the member has asked the question twice already. Now, for the third time, the question.

Hon Mr Scott: I want to assure the honourable member that is not the case. The usual practice is for mail to be logged but, as honourable members will know, for example, when one of the honourable members the other day handed me a letter, that did not get logged because it did not come in in the ordinary way.

Mr D. S. Cooke: It was hand-delivered to you.

Hon Mr Scott: Yes, but it does not get logged in the system, so you cannot recover it by reference to the log.

The good news for the honourable member is that the letter was discovered and I told the honourable member how its presence was discovered. By looking at what it said, it registered a vigorous objection to an appointment which was in fact not made and we then dealt with it in the way I described yesterday.

CROWN LAND

Mr Harris: I would like to again ask the Minister of Natural Resources a question concerning the crown land development program. This morning my staff attended the information centre to get information on the program. The staff there were very polite and very helpful. They were given a booklet, Crown Land as a Development Tool, and they were told if they had any inquiries or wished further information, they should talk to the man in charge of the program, Paul King.

Today the minister has indicated to me that Paul King is no longer involved in the program. I wonder if he can tell us when Paul King was released from this program, some time between this morning and now. And was this in writing and was it done during question period?

1450

Hon Mr Kerrio: I do not know how I could reinforce the position of me as both the minister and the government on this program. The fact of the matter is that Mr King was interviewed by someone who posed as someone else. He speculated on the Premier's thinking—

Mr Jackson: They transferred him 10 minutes ago during question period.

The Speaker: Order.

Hon Mr Kerrio: If the member will listen I am going to tell him where I am coming from. I will answer the question the way I choose as I allowed him to pose the question the way he chose.

I am suggesting to the member that Mr King was interviewed by someone who was posing as someone else. He gave an interview about CLAD, crown land as a development tool, which is about cottaging on crown land and which was not in fact the policy of this government. I have not been given the information recently. This book of mine that gives me this information is months old. They said that it was not appropriate for Mr King to give those answers and that he was transferred. That is all I can tell the member. I was told that he was transferred.

Mr Jackson: When?

Hon Mr Kerrio: I have no idea when.

The Speaker: Order.

Mr Harris: I find it passing strange that a civil servant would be off all on his own—given that he was appointed by the minister—with no direction from the minister and who, as of this morning, was told by his information centre that he is in charge of the program and the information has been out for a month or so, although not made public by the minister, not surprisingly. I find it very passing strange that he is now dissociating himself from anything that he has said, and as of this morning he was still there. I would like to go back specifically—

The Speaker: To the question, I hope.

Mr Harris: The minister is not going to tell me when he was transferred.

I asked the minister in the question before, and I would like an answer specifically to this. It states that the consultant who wrote out in a

position paper, "‘Sacrifice’ certain ‘trout lakes’ and allow residential and/or cottage development in more intensive clusters" on designated lakes, received his direction from the Algonquin district Ministry of Natural Resources staff. The minister has indicated he has had this information for a month. Could he confirm that is indeed where the consultant got his directions?

Hon Mr Kerrio: No, that is not the case at all. As I said to the member before, the way this started, is that we had some cottage lots that were going to be put up for sale. The Ministry of the Environment decided we should examine that lake to see what the possibilities are of protecting the fish stock in the lake. I agreed wholeheartedly. It put our program back considerably, but I have an important initiative and I want to protect the environment even though we sell cottage lots on those remote lakes in northern Ontario. Those are the facts that exist there.

The other matter that the member keeps questioning about is one that I would like to share with him and it is that Mr King did not put forward the policy of this government. I have been given the fact that he is no longer there in that responsible position.

Mr Harris: Is the consultant lying?

Mr Jackson: Then why did you transfer him?

Hon Mr Kerrio: Just a minute and listen. For crying out loud, those people make so much noise I can't hear myself think around here. They should just be quiet a minute and I will give the answer.

If I have told the member that Mr King was moved, then that was the information I was given. If he has not been moved, then I shall be glad to find out the situation as it exists and get back to the member on Monday.

SECURITY IN PREMISES USED BY PUBLIC

Mr Sola: I have a question to the Attorney General regarding the Trespass to Property Act. I know it has been raised in this House before, but I still get lots of phone calls, letters and questions regarding this legislation from shopping malls and businesses, both big and small. Even libraries have written me expressing their concern with the question of posting of notices and the right to return of evictees, if I can call them that. They figure this legislation will tie their hands in maintaining order on their premises while at the same time giving free rein to those who are causing disturbances. Can the Attorney General respond to these concerns?

Hon Mr Scott: I certainly can, and I am glad to have the opportunity. This bill is based on the

proposition that everybody who is asked to leave a public place by a security guard or other person should be given a reason. The reason does not have to be in writing, but it should be given. Then they have full power to expel the person from the public place, because the person given a reason has a right on a subsequent occasion to contest the expulsion.

This has been the practice followed by almost all responsible mall owners in Ontario for many, many years. Frankly, I think that the standards of this bill are standards that all members of the House would expect for themselves if they were ejected from a mall, which is what? Simply to be given a reason that has something to do with a use incompatible with the mall premises.

Mr Sola: I can agree that the motive is laudable, and the minister's answer sort of alleviates some of my fears, but the question still comes up that the timing seems to be wrong. At this time, when we hear of swarming in malls and gangs being overly active in them, the proprietors seem to think that the message the government is sending out is that the disturbers will have a free rein while the enforcers will have their hands tied. I am worried about the perception we are giving.

Hon Mr Scott: I am not so good at dealing with perceptions, but the reality is—instead of dealing with perceptions, even here every once in a while we should deal with reality—if there are swarmers or gangs in a mall or public place who are making an inappropriate use of the property, the mall owners can ask them, require them or call the police to remove them, precisely as they can do so now. All that they will be required to do is give a reason as to why they are being asked to leave. It should not be difficult to find in that circumstance.

My honourable friend talks about perception. May I just say this word: When bills are introduced in the Legislature, there will be from time to time people whose business it is to cause concern and anxiety and get everybody alarmed. I am sure all honourable members want to do what is best, and what is best is to assure the public what these bills are really about.

DIRECT GRANT PROGRAM

Mr Pouliot: I have a question to the Minister of the Environment on an entirely different matter. I want to share with the minister the headline that appeared in the Thunder Bay Times-News in the Saturday, 10 June edition. It says, "Marathon Denied Water Grant." I am talking here about the fascinating world of

sewers and water, an environment which the minister prides himself on being comfortable with. It says on top, "Mayor Threatens Province with War."

Those are very harsh words, the reason being that the people of Marathon were given the promise, and I quote from a letter signed by the Minister of the Environment addressed to the township of Marathon, "The township has been assessed under the ministry's priority system and I am pleased to inform you"—he is talking to Reeve Bell—"that the project qualifies for grants under our direct grant program."

Then the conclusion, by way of—

The Speaker: The question.

Mr Pouliot: I am getting to my question.

"I am pleased that the province of Ontario, and in particular the Ministry of the Environment, is able to share in the program."

Why will the people who are working in northern Ontario at Lac Minerals not be able to have a residence and therefore—

The Speaker: Thank you.

Mr Pouliot: —will have to move elsewhere because the minister has reneged on his—

The Speaker: Thank you.

1500

Hon Mr Bradley: The former minister would know this. Of course, I know the member just did not have time to read the entire letter to the House, otherwise he would have read the paragraph that probably says—although I do not have the letter with me; there is usually a paragraph in there that says—that this is not a commitment of funds. It says that they are eligible. There are a lot of members in this Legislature who have communities which make application for funds and the Treasurer has in fact provided some \$196 million across the province for such funds.

I am sure that there are many communities which would like to have even more money, and we send them a letter indicating that their program is eligible, and then the project priority evaluation committee of the Ministry of the Environment goes through these. It uses the criteria and I think all members who are fair-minded, and they are in this House, know that it is a fair evaluation that it goes through.

The first consideration is the environmental impact. The last consideration is growth. What the member is saying on behalf of his constituents, and that is quite legitimate, is that the Ministry of the Environment used the growth priority ahead of an environmental priority

perhaps in another area. I am sure even within the member's own riding he may have other areas—

The Speaker: Thank you. I have tried to be as fair as possible. The members may be interested in knowing that I allowed both of those members 90 seconds, which is the time for a member's statement. I hope that we can reduce the time that it takes for questions and responses.

Mr Pouliot: The minister is quite right. I took the time to read about his commitment. The mistake, obviously, was that I believed what I was reading and I also had the time to mention that. He cannot deny the following: 10 times, that is what the paper says. I have done my job. I am beginning to question the minister's commitment.

I also had the time to look at the proposed revenues, and he can ask his pal there, with respect, the Treasurer of Ontario (Mr R. F. Nixon), who states that mining revenues will go from \$13 million to \$150 million, and perhaps 40 per cent to 50 per cent of those additional revenues will come from the wealth of Hemlo. What we are asking on behalf of the township of Marathon is that part of the money that is coming from the north to the south be returned up north to provide an essential service. Will the minister make that commitment?

Hon Mr Bradley: I know that members of the Legislature would want to be assured that the Ministry of the Environment would provide the money based on the environmental needs—the priorities being the environmental needs—as opposed to simply growth in any specific area. The member indeed has made representations on at least 10 and probably more occasions to me. He has communicated in writing to me about this matter and has certainly championed the cause of the people of his constituency in this particular matter.

However, I want to indicate and remind him that the taxpayers of the province have already provided \$3.2 million for the growth-related projects in that area—stage 1 and stage 2—and that the municipality is able to make further application if it sees fit. Also, I might suggest that since the mining companies are making so much money out of this particular project, they may do as they have in other circumstances, and that is that perhaps the mining company itself would like to make a contribution to that particular project.

DISMISSAL OF PUBLIC SERVANTS

Mr McLean: My question is for the Minister of Community and Social Services. A member of

the Ontario Public Service Employees Union recently brought to my attention the situation of four employees at the Huronia Regional Centre in Orillia who were fired after being charged by the Ontario Provincial Police with assault. These workers claim that section 18 of the Public Service Act was not used in their case as it is with other government ministries.

The Ministry of Community and Social Services claims it conducted a fair investigation, but the results of that investigation were never made public. Two of the four dismissed workers have been employed for 14 and 17 years respectively, and all have filed a grievance.

Can the minister explain why section 18 of the Public Service Act was not used in the case of the four dismissed employees?

Hon Mr Sweeney: I am aware of the incident the honourable member draws to my attention. The allegations that were levelled against the four employees were brought to our attention by other employees in the same institution. They were very serious. They involved a serious physical assault on residents there. The police were immediately involved.

During the process of the investigation, the employees were suspended with pay. When the evidence was clear that the charges were true, the employees in question were dismissed from their employment and I believe they will be coming up in court and will be charged officially in court. I am not sure why the particular section the member drew to my attention was not used. I will check that to be sure that is the case, and try to give him a reason as soon as possible.

Mr McLean: That really is the basis of the question, why section 18 was not used. We understand it is used in every other ministry when the same situation occurs, but these employees have now been charged by the OPP. We understand the investigation was done within, too. They are now dismissed without pay, and they have not had their day in court yet. That is the reason to be concerned about these employees, who are out of a job. They have filed their grievance, the grievance was not heard and has not gone to court and they are not being paid.

Should they not still be on payroll until they are proved guilty?

Hon Mr Sweeney: I will check, as the member has asked.

PETITION

1987 CONSTITUTIONAL ACCORD

Mr McLean: I have a petition signed by 22 people that reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"To withdraw the support of the province of Ontario towards the Meech Lake accord. Please do not permit the accord as is.

"The following, '2(1) of the Constitution of Canada shall be interpreted in a manner consistent with...the recognition that Quebec constitutes a distinct society,' must never be part of our Canadian Constitution.

"There must be no exemptions between the provinces. We must have one Canada and one law governing all provinces, from the Pacific to the Atlantic. Any other solution will bring the destruction of Canada.

"We must maintain one Canada and one law for all of us. If not, the following will happen, not at the instant, but it will come.

"First there will be suspicion, then friction, then disruption of the democratic order, and the end is anarchy and dictatorship. We see the beginning in Quebec at present, and it will spread all over Canada, province against province, French against English."

The Speaker: I called for petitions. It is difficult to hear and to see. I will call for petitions once again.

1510

INTRODUCTION OF BILL

ONTARIO MINERAL EXPLORATION PROGRAM ACT, 1989

Hon Mr Conway moved first reading of Bill 33, An Act to Revise the Ontario Mineral Exploration Program Act.

Motion agreed to.

Hon Mr Conway: This act repeals the earlier mineral exploration program and replaces it with a new act that allows the Minister of Mines to establish regulations to allow new incentive programs, such as the ones that were announced by the provincial Treasurer (Mr R. F. Nixon) in his most recent budget, to come into effect.

ORDERS OF THE DAY

House in committee of the whole.

POLICE AND SHERIFFS STATUTE LAW AMENDMENT ACT, 1989

Consideration of Bill 187, An Act to amend certain Acts as they relate to Police and Sheriffs.

Mr Offer: Mr Chairman, would it be possible for me to move down?

The Chairman: I am sure there is agreement to have the parliamentary assistant come to the front row and get his assistants at a table. Agreed?

Agreed to.

The Chairman: At this point, as we are getting set up, I would like to call for people right now to list possible amendments, questions or whatever and to which section.

Mr Sterling: I have an amendment to section 5 and I was expecting my colleague the member for Welland-Thorold (Mr Kormos) to introduce amendments to section 1 of the bill, as he did in committee. I wonder if the table has a copy of the amendments that were put forward during the clause-by-clause hearing of the bill in the standing committee on administration of justice.

The Chairman: We have received nothing to date.

Mr R. F. Johnston: On a point of order, Mr Chairman: The member for Carleton is absolutely right. There are amendments that are forthcoming. There has been a small hitch in getting hold of them at this instant in that they are in one member's office, which is not the member for Welland-Thorold's office. He is trying to get them at this point. If it would be possible to stand down the sections where the amendments were made in the past case and have them reintroduced in the committee of the whole, that would be very helpful to us.

The Chairman: Would you have a list? Would you note which sections?

Mr R. F. Johnston: I think the member for Carleton might be able to help with one or two of them, but I think it would have to wait for a few minutes.

Mr Sterling: Perhaps I can assist. There are only six sections in the legislation and all of the amendments brought forward during the clause-by-clause hearing at the justice committee were to section 1 of the bill, save and except for the amendment I have in front of me as an amendment which I will be putting forward, and that is to section 5 of the bill.

The Chairman: In that first section, would there just be one amendment or a series of amendments?

Mr Sterling: I believe he introduced three amendments. Actually, he introduced four amendments, one of which was similar to a government motion and was carried. So I imagine there would be at least three, and perhaps four.

May I say at the outset that the reason for our being in committee of the whole House is as follows: After we had met at the standing committee on administration of justice, we received a further submission that we thought was rather important to the hearings. This came from Judge Nevins of the provincial court (family division). Because it strikes right to the heart of the amendments that were being put forward by the member for Welland-Thorold and were supported by myself during the hearings in the justice committee, it was thought we should put it into committee of the whole House. I believe the parliamentary assistant agreed as well that this was the proper process.

For the members of the Legislature, perhaps I should at the outset explain what Bill 187 is about and the points of contention in it. Bill 187 is an act that amends certain other acts as they relate to police and the sheriffs. Up to this point in time, in our courtrooms across Ontario, the police have been responsible for part of the security function and another officer known as the sheriff has also been responsible for some of the security in the courthouses.

This piece of legislation makes it clear that municipalities will be assuming the function of ensuring the security in all of our courthouses. There has been great objection on the part of the municipalities. There were a number of representations that came before the committee, mainly by the municipalities and the police forces, because up to this time the province has shared in the cost of providing security.

This bill clearly draws away that responsibility and takes it off the shoulders of the province and puts it on to the shoulders of the municipalities. We have had estimates by the municipalities that it is going to cost some \$100 million more to municipalities across the province because of this move, and they are very, very upset about that.

In addition to that, the other important document the government continues to shield with regard to Bill 187 is the Anderson report. The Anderson report is a report that was asked for by the Attorney General (Mr Scott) to deal with this issue. The government has been hiding this document, even though it has fallen into the hands of the opposition at this time. The reason the government has been hiding this document is that it is very embarrassing to read the report and then look at the legislation. What the legislation does is take all of the good parts for the province, but none of the good parts for the municipalities.

General Anderson, who headed up this task force, came forward with several recommenda-

tions. It was his feeling municipal police forces were the best able to handle security in the courthouses. However, in his recommendations, he makes a strong case for the province to take an active role in (1) setting standards of security, and (2) accepting the financial responsibility this would place on our municipalities after this act would go into force.

What the government did was accept the recommendation that municipal police forces be responsible for security, but neglect to include in the legislation or to make any policy statements as to (1) the standard of security, and (2) the cost of that security.

1520

General Anderson, on page 24 of his report, puts forward nine recommendations and then puts forward five recommendations for the implementation of these. I think it is important that we go over those recommendations. It is also important to notice that General Anderson did not have a consensus of the committee he was placed on and therefore there was a very important element of dissent, as we would speculate from this report, whereby there was a feeling that security for courtrooms should have been taken over by Ontario and that this should be done either through the Ontario Provincial Police or some other security force that would be specially trained to deal with security in the courtroom.

The way the system works now is that if a dispute arises in a courtroom as to the level of security, the sheriff of that particular area—for instance, in Ottawa-Carleton the sheriff of Ottawa-Carleton is R. B. Hamilton—acts as the broker between the justice system—the judge in most cases—and the police who provide that security.

At the present time, of course, the province is paying for some of that security taking place in the courtroom. Under this proposal the municipality, through its police force, will be paying the whole shot. So there is definitely going to be a push-pull situation which will result as Bill 187 goes through.

Judges, in the interests of their security in the courtroom, will be demanding a very high level of security. Judges do not have the right to tell municipal councils, or the council or board responsible for policing in the municipality, how much they must spend on providing that security.

The police who would be asked to go into the courtroom might have a different view of the level of security that might be required in that courtroom. The judge may say, "I want three

uniformed police officers in my courtroom this afternoon for case X," and the police may say, "We can't afford to give you three full constables this afternoon, so we will only give you one constable or we will give you another type of security through a security officer of some type with less training than a constable might have."

The problem will be whether or not the case goes ahead. We have talked about court reforms in this province and the wonderful bills we discussed yesterday and gave our support to. But we said yesterday that it requires not only a change in the law; it requires the necessary resources for the justice system to operate in an efficient manner.

What we have today, through Bill 187, is an exact example of our concern that this government is not putting its fair share towards our justice system. What they are doing here is withdrawing some of the existing support they have for our justice system by saying that municipalities now are going to be responsible for paying the shot for security.

The bill makes it very clear that the judges do not have the final say with regard to security in their courtroom. I believe that is a very significant problem. If there is a standoff, then a judge's only option is to say, "This case cannot go ahead because of the lack of security."

During the committee and during the hearings, we have attempted to have the province accept some level of responsibility for setting standards so that the conflict we predict will flow from Bill 187 would not occur.

We would like, as General Anderson has said in his report to the minister—I am reading from implementation recommendation (a) on page 25 of the report—"that the Attorney General, in consultation with the Solicitor General, provide guidelines governing minimum levels required for court security." The Attorney General has indicated he has no intention of providing any minimum guidelines for the level of court security.

The government is saying, "If the municipalities are going to be responsible for it, they are going to have to establish their own level of acceptance of court security." This means that under paragraphs 57a(1)2 and 3 of the new bill, we are going to have a different standard of security as we go across our province, from division 1 to division 8. In fact, even within those divisions, there will be different levels of security when you go from one municipality to another.

One of the other very serious problems with the way Bill 187 is structured is that in some cases municipalities will get off scot-free while other municipalities will be paying the full shot, even though they are dealing with another police force that is located outside their municipality.

This is particularly true in Ottawa-Carleton, Mr Chairman, which you are somewhat familiar with. In Ottawa-Carleton, the people I represent will benefit greatly from Bill 187. The city of Kanata, where there is a police force, will not be accepting any responsibility for providing security in the courtroom. The city of Nepean and the city of Gloucester, both of which have their own police forces and utilize the courthouse every day of the year that the court is sitting, will not be in any way financially responsible for providing court security in the courthouse in Ottawa.

The city of Ottawa taxpayers will see the negative impact of Bill 187, because they will become overall responsible for all the security in the courthouse. Even though a particular incident in the criminal courts may have taken place in the city of Nepean, the city of Gloucester, the city of Kanata or wherever, this bill puts the total responsibility on the police force where the courthouse is located. Therefore, if it is the choice of this government to foist this upon the municipalities, it is not fair that it be done in this manner.

1530

The greatest concern that we in the opposition have relates to the fact that we see this as a further impediment to a system of justice which is already operating at a very slow pace. We believe this will lead to longer delays for trials.

I think at this time I would like to read into the record the submission of Judge Nevins, because many of his arguments are the arguments that have been put forward by the opposition parties during these hearings.

"I am writing to you as chairman of the law reform committee of the Ontario Family Court Judges Association. The usual policy of our association is that we do not attempt to involve ourselves either publicly or privately in formulation or discussion of new legislation unless we are requested to do so. However, because of the obvious and profound practical implications that this bill has for all judges in Ontario, our board of directors has requested that I forward to you our concerns over this proposed legislation."

In other words, we do not normally get letters from judges about legislation, because they try to distance themselves from this Legislature as frequently as they possibly can. It would have

been nice, however, had they been properly consulted and their concerns taken into account in Bill 187.

"Because of this, may I make the following comments for your consideration. Our committee has considered this bill by examining not only its text but the explanatory notes that accompany it and as well the statement to the Legislature made by the Attorney General on 17 November 1988 and a directive from the executive director of courts administration, also dated 17 November 1988.

"Considering all these sources, I think it is fair to say that our overriding concern may be summarized as follows: This bill does not appear to achieve a fundamental and essential objective, namely, the provision of consistent, efficient and effective security in all courts throughout the province." They have no confidence in this legislation.

"Although the stated intention of this bill is to ensure that local police forces and police officers will be responsible for providing courthouse security, that insurance is not provided in the bill itself. At the time the bill was introduced for first reading on 17 November 1988, the Attorney General made the following comments in his statement to the Legislature:

"The purpose of this bill is to make clear in statutory terms that municipalities, either through their municipal police forces or through a contractual arrangement with the Ontario Provincial Police where there are no municipal police forces, have responsibility for providing security in the province's courthouses."

"We believe the existing police agencies in this province are in the best position to judge the level of security required in our courthouses. We have discussed the general principle of this bill with the courts advisory committee composed of the Chief Justice and the chief judges of the courts in this province. They concur with the government's decision that security of the users of our courthouses is best ensured by using the trained police officers who serve all of the residents of the province."

This is what the Attorney General said further on introducing this bill:

"I have indicated to them that while the municipal police forces and the Ontario Provincial Police will provide general security for the courthouses, the sheriff and his officers will continue their traditional role of ensuring decorum within courtrooms."

In a memorandum, also dated 17 November 1988, the executive director of courts administra-

tion, announcing the introduction of this bill in the House, makes the following statements:

"This bill requires the police to be responsible for court security. The sheriff and his staff will continue to be responsible for decorum within the courtrooms, while the police will look after the security of the courthouse and of persons in custody.

"On examination of the text of the bill itself, and in particular section 57a, we see nothing whatsoever that provides for the presence of 'trained police officers,' uniformed or otherwise, who will be present to, in the words of the bill, ensure 'the security of judges and of persons taking part in or attending proceedings' or 'the security of the premises' or 'the secure custody of persons in custody who are on or about the premises including persons taken into custody at proceedings.' The bill itself merely provides that a board or a council has the responsibility of providing this security. We see nothing in the bill that prevents either a municipal council or in fact a police board from contracting out this responsibility to other individuals or groups, such as commercially operated security services or commissionaires.

"You may or may not be aware of the existing practice in Ontario whereby in a great many, if not most, of the family courts, security in the courthouse and the courtroom itself is provided by commissionaires by virtue of a contractual arrangement with the sheriff's office. The troublesome question for our members has always been the degree of authority that these persons possess by virtue of this arrangement and also the practical efficiency of these untrained attendants.

"To add to our concern in this regard is the comment by the Attorney General, and repeated by the executive director of the courts, that the police will provide the security of the courthouse and persons in custody, and yet the sheriff will continue the role of ensuring decorum within the courtrooms. Since this bill contemplates the repeal of that section of the Sheriffs Act that obliges the sheriff to give his attendance upon the judges for the maintenance of good order, we are left confused as to what the role of the sheriff and his officers will be and precisely what the expression 'decorum within the courtrooms' means.

"We are given to understand that certain submissions have been made to date suggesting that police forces do not have the funds or resources available to provide the security anticipated by statements made outside of the

bill. If this is the case, or if we may reasonably expect that this argument will be made, then I am sure you can see the basis for our concerns. Even if this bill is passed into statute, regardless of which body has the responsibility for providing security, who in fact will be present in the courthouse and courtrooms and with what degree of authority? How can the judges in Ontario and the users of the courts in Ontario be assured of a consistent standard of security throughout this province?

"It is an unfortunate but probably inevitable comment on our times that courtroom security has become a major issue, at least in the family court. The implementation of the Young Offenders Act has changed dramatically the nature of proceedings in this court such that consistent, real security is a necessity.

"We would appreciate it if you would consider these comments in your deliberations."

We did not have the benefit of that submission in the standing committee on administration of justice, and I would hope the Attorney General would react by bringing forward amendments to Bill 187 to properly reflect the concerns put forward by the provincial court (family division) for a standard of security, for an assurance that the province is going to pick up some of the tab to provide proper security for our family courts and for a clarification of what the sheriff's responsibilities in court security really are.

I look forward to commenting on each and every amendment which my colleague and I put forward during these deliberations. In a general way, that is what the arguments over this legislation are, and I really would hope that the government might have had some second thoughts after reading this most recent submission.

The Chairman: We are still waiting to get back photocopies of the section 1 amendments; we have sent down for them and we should get them in a few seconds.

Mr Offer: Mr Chairman, while we are waiting I wonder if I might ask whether the member for Welland-Thorold would like to make some general opening remarks. Then I would be more than pleased to do so.

1540

Mr Kormos: There are two amendments that I will be putting forth today. I think it is important to understand that so much of the focus has been on the security for judges themselves, and rightly so. Indeed, here in Toronto, in old city hall some provincial judges have been very vocal about the obvious lack of security available to them.

Even this bill speaks of the security not only of judges but of persons taking part in or attending proceedings. Oftentimes, these are people—not the judges, but participants—who may be witnesses, family and friends of participants or litigants or family and friends of victims or accused. These are the people who as often as not are finding themselves in positions of risk along with the judges and court staff.

It is equally important to understand that courtroom security is not just a matter of staffing courtrooms with police officers or other types of security personnel. Indeed, in the Report of the Ontario Courts Inquiry by Mr Justice Zuber in 1987, he comments in several points of that report on the quality of accommodation available and the poor quality giving rise to serious security concerns. He writes:

"In some areas, however, the choice of court location threatens to bring the administration of justice into disrepute. Some courts are housed in shopping centres, in hotels, beside taverns, or in one case, in a Lions Club dancehall, right beside the bar, over which is hung a toilet seat."

He also observes:

"Security must form an integral part of any courthouse. Courthouse security takes a number of different forms. The transportation of prisoners, both to the courthouse and from a holding cell to the courthouse, involves one form of security."

He says this type of security is explored and recommendations made earlier.

"The second type of courthouse security involves the design of the building itself. It is recommended that the courthouse should be designed so that judges and jurors have secure access to the courtrooms and the accused also has secure but separate access to the courtrooms from the holding areas."

In Welland-Thorold we are well served by a good bench at the provincial court level and at other court levels. Provincial courts in Welland, for instance, are held in locations that were never designed to be courtrooms; they are not only difficult to find for people who want to or are required to participate in the court proceedings but are totally unsuited both in location and design to even accommodate in any real way the people involved, least of all to provide the slightest bit of physical security or security that could be derived from design.

Concerning neighbouring communities in the judicial district of Niagara South: In Port Colborne, for instance, the provincial court is obliged to use the city council chambers. Once

again a full complement of police officers, because of the difficult design that they are confronted with, is never going to provide adequate security in the provincial court in Port Colborne because the city council chambers were designed to be city council chambers and not a courtroom.

Hon Mr Sorbara: Not when you are litigating.

The Deputy Speaker: Order, please.

Mr Kormos: I think I heard the Minister of Labour say something but I did not understand what it was he had to say.

Fort Erie uses a revised police station. Niagara Falls, once again, uses an obsolete building, city hall, that was deemed obsolete for city council but appropriate for the provincial courts. Niagara Falls, quite frankly, has had very specific problems with prisoner escapes and problems with the provincial judges there having their security directly threatened, if only because of their proximity to the routing of accused persons from holding cells in the basement to the upper floors where courts are conducted. Once again, a full complement of police officers is not going to overcome the design problems that are inherent in using buildings like this inappropriately for courtrooms.

Zuber comments not only on these but on some of the grossly inappropriate locations. He speaks of Lions Club halls and certainly the Royal Canadian Legion basements, which work fine until noontime, until the draught beer starts being poured and the conduct of the courtroom is interrupted by the clash and jingle of draught glasses.

It remains that this bit of legislation does not provide courtroom security, because courtroom security is part and parcel of an overall package. It requires physical accommodations which are properly designed to accommodate courtrooms, to accommodate judges, witnesses, police officers and the accused, be he or she in or out of custody. It requires a standard, and that has already been spoken of, because one of the requirements here—

Mr Haggerty: The libraries in the county—

The Chairman: Order, please.

Mr Kormos: What would Mr Haggerty know about books in a library, least of all in a law library?

Mr Haggerty: I was on county council; I knew all about it.

The Chairman: Order, please.

Mr Kormos: I am sorry, Mr Chairman.

The Chairman: No interjections, and address your remarks through the Chairman.

Mr Kormos: Yes, Mr Chairman. I would be very surprised if he knew about books and libraries. It remains that this legislation—

Mr Ballinger: You think you're the only one in here.

Interjection.

The Chairman: Order, please.

Mr Kormos: Sorry, Mr Chairman. What I asked the member for Durham-York (Mr Ballinger) was, does he have to practise to be stupid or does it come naturally?

The Chairman: Please, that is not parliamentary language.

Mr Kormos: I have asked him the question.

The Chairman: I do not think—

Mr Kormos: I appreciate that is not parliamentary. It was not, under the circumstances, a valid question.

I am trying to address legislation that the government is proposing that purports to deal with a particular problem, a problem that all recognize, a problem that affects virtually every community across the province, a problem that is not shared just by judges or crown attorneys or lawyers but by the personnel who involve themselves, sometimes unwillingly by virtue of being witnesses, in courtroom proceedings.

The availability of police officers to perform this function obviously becomes a very realistic problem. I know that in Niagara region there are certain days where the number of police officers involved in their obligations is such that there are not police officers available to adequately patrol neighbourhoods. I know that the cost to the Niagara region to implement the type of plan and procedure that is contemplated here would be considerable and one the region is ill prepared to accept.

I have two motions.

The Chairman: Are you ready to proceed with that now?

Mr Kormos: Yes, I have two motions I will speak to. Both of them deal with the requirement that there be a standard and that there be provincial acceptance of responsibility for the cost that is going to be incurred by communities. A standard is not provided for in the bill, and there is certainly no concept of reimbursement to the communities for the incredible cost that is going to be incurred.

The Chairman: I would like, now that we seem to have everything in place, to ask again if there are any more—

Mr Ballinger: Now that Peter has settled down.

The Chairman: Please. I want to make sure that I have the complete list of the amendments. So far I have, from the member for Welland-Thorold, two amendments sent over for section 1, and, from the member for Carleton, one amendment to section 5. Before we proceed, do other members have any other amendments that they would like to bring forward, and if so, to which section? Therefore, we have a complete list.

1550

Mr Offer: I do not have a copy of the amendments at this point in time. I do not know if this is the proper time to provide us with copies, but since he is speaking to them, I think it is just about getting to be that time.

The Chairman: The Clerk Assistant will be providing the members with copies.

Mr Sterling: There were some government amendments. Are they reprinted in the bill as of now?

Mr Offer: My understanding is that the amendments that were passed in committee and that were referred would be now part of the legislation and are not necessarily to be moved in committee of the whole. If that is correct, I would like the Chairman to confirm that.

The Chairman: I think the bill, the copies that members have, is reprinted as amended and approved, so they are in there. Are we ready to proceed?

Mr Offer: Yes.

Section 1:

The Chairman: Would the member bring forward his amendment?

Mr Kormos: The first amendment is an amendment to what is section 1 of the bill, which affects section 57a of the Police Act.

The Chairman: Mr Kormos moves that subsection 1(1) of Bill 187 be amended as follows:

That there be the addition of a paragraph, paragraph 5, in view of the fact that paragraph 4 was an amendment made in committee, and paragraph 5 would read:

"5. The Ministry of the Attorney General shall at all times reimburse a board or council for the costs it incurs in providing security pursuant to this act."

At this point I would like to tell the member that we have a problem with that. I have to rule it out of order. If the member would like to take his standing orders and refer to page 4, standing order 15, I will read it to him:

"15. Any bill, resolution, motion or address, the passage of which would impose a tax or specifically direct the allocation of public funds, shall not be passed by the House unless recommended by a message from the Lieutenant Governor, and shall be proposed only by a minister of the crown."

Mr Kormos: I understand, and we confronted that in committee. I am wondering, in view of that, if the Attorney General would be prepared to make that motion seeking that particular amendment.

Mr Offer: We did in committee, and I take the chair's ruling on that, give unanimous consent for that discussion, and we would have no objection to doing that at this particular point in time, if that is proper.

Mr Sterling: I do not have a copy of the amendments and I cannot debate this bill unless I have a copy.

Mr Offer: Mr Chairman, if you have indicated that according to the standing orders this is clearly out of order, then so be it. It is out of order.

The Chairman: It is, because it is also contrary to the Legislative Assembly Act and it is contrary to the standing orders. I am faced with very much of a dilemma here.

Mr Sterling: I know. I am faced with even more of a dilemma. I have not seen the amendment. I might be able to assist the member for Welland-Thorold in putting the amendment in order. That is why I want to see the particular amendment.

The Chairman: We have sent some pages and they will bring you some copies. While we are going to wait for you to get your copy of the amendment, I am consulting here with the Clerk at the table, but we have a serious problem with that.

The Clerk Assistant at the table was conferring with me and I agree with him that if you want to discuss this particular point, that "The Ministry of the Attorney General shall at all times reimburse a board or council for the costs it incurs in providing security pursuant to this act," if the minister is willing to look at that, fine or whatever, but I cannot accept it theoretically because it is out of order with a standing order in the Legislative Assembly Act.

Hon Mr Sweeney: If the amendment is out of order, you cannot debate it.

The Chairman: That is right.

Mr Offer: If it is out of order, it is not debatable, and I think that ends the matter. I would hope that the member for Carleton is now in receipt of the amendments so that we might be able to proceed with the clause-by-clause analysis of this particular piece of legislation, because we are ready to go.

The Chairman: Has the member for Carleton received his copies already? No? Okay.

This is the first time this has happened to me when I am chairing, but I remind all members who wish to present amendments it is their responsibility to supply to the other two parties, their critics or correspondents, and to the table at the front, of course—that is automatic—copies of what they would like to amend. That being said, we hope this kind of delay will not happen again.

Would the member for Carleton wish to comment that we have ruled it out of order? Does he have a comment before we proceed to the other amendment to section 1?

Mr Sterling: No, I do not have a comment.

The Chairman: Then we may proceed with the other amendment.

Mr Kormos moves that section 1 of Bill 187 be amended as follows: that in subsection 57a(1) of the Police Act, the words "a board or council responsible for the policing of a municipality" be deleted and be replaced by the words "the Ontario Provincial Police Force."

Would the member for Welland-Thorold have an explanation?

Mr Kormos: Please. Paragraph 57a(1)2 of the Police Act, which is in subsection 1(1) of the bill, obviously contemplates that the Ontario Provincial Police will be performing the function of security, at least in those parts of the municipality where they have exclusive responsibility for policing. So there is certainly no suggestion that the OPP is not an appropriate body to perform this function. There are two major issues.

1. One police force performing all the courtroom security across the province will permit a consistency and the generation of a standard that is spoken of by, among others, Judge Nevins in his letter to the committee.

2. It would make it clear that the cost would be borne appropriately by the provincial government, which is responsible for the administration of justice in the province, as compared to being borne by ratepayers in given municipalities from whom comes the money for paying municipal

police forces. Those are the two major considerations.

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The third consideration is the fact that the OPP has more manpower, womanpower and person-power available to it, so that it can allocate people to staff various courtrooms at various times, recognizing that the need for security will vary from day to day and will not be consistent on every day of the week, but will depend upon the types of cases being heard and the types of individuals being dealt with in any given instance.

The bottom line, though—and I appreciate the chair's ruling on the earlier motion by myself—is the matter of who is going to pay. The province clearly has the responsibility for administering justice in the province. The use or utilization of municipal police forces for providing courtroom security—and, once again, there are some areas, and I am speaking specifically now of the Niagara region, where it is a regional police force that has the responsibility, and would have the responsibility pursuant to this bill, to make itself responsible for a large number of courtrooms, even on any given day; because throughout the Niagara region, there are any number of courtrooms, four or five, perhaps more, that would be sitting simultaneously in different physical locations.

That means an incredible burden is going to be placed on the Niagara regional police, who are paid, of course, out of municipal ratepayer sources. The government has already indicated there was consideration or discussion of an increase in per household grants to municipalities, a \$3-per-household grant, that was announced in 1984-85.

This was articulated, at the time, as being there to reimburse in part for the cost of transporting prisoners and accused persons from detention centres, holding areas and police stations to courtrooms. There was brief reference made to the matter of courtroom security, but it was certainly not in contemplation of as thorough and rigorous a responsibility as is imposed on municipal police forces under this particular bit of legislation.

As has already been indicated, it also creates two standards across the province. For those municipalities that are policed by the OPP, the ratepayer, the municipal taxpayer, will not be responsible for the provision of courtroom security because the OPP is going to assume that role or function.

In municipalities like Niagara region, like Welland-Thorold, where there is a municipal police force, the cost of security in the courtroom is going to be pushed directly on to property taxpayers. It is not going to be borne by the province. The province is going to be abdicating its responsibility to basically provide secure courtrooms, both in physical design and in terms of staffing them with security personnel.

Mr Sterling: Not in family court.

Mr Kormos: Wrong again. What happens is that, right now, police forces like the Niagara regional police force are attempting to use civilian personnel, who are not police officers, to transport prisoners, because of the incredible cost that would create if police officers were being used for that.

That creates a problem, because these good gentlemen and women are not trained as police officers, are not armed and do not have the capacity of a police officer in that they are not sworn police officers. So that really is problematic.

It is said that, sure, in a criminal court, oftentimes police officers are there in any event, because they are witnesses in proceedings; but what those police officers cannot do is maintain a minimum standard of security, because they are involving themselves with any number of things. They are interviewing witnesses. They are going to and from the courtroom. Indeed, oftentimes, they are police officers who are supposed to be on duty out on the street. So as soon as their particular matter is over, they are back out on the street, in their cars or at their stations, wherever it is they are supposed to be. They are not going to linger in a courtroom. Indeed, if they were, they would be subject to criticism, because they are not supposed to be in the courtroom other than for the purpose of giving evidence.

This bill requires the police to man the courtroom specifically for the purpose of providing security. It does not generate a standard for them. It does not generate any relief for municipal taxpayers, but it imposes a responsibility. It significantly affects the quality of policing in communities, because police officers are going to have to be deployed into courtrooms rather than out on the street, and it generates an incredible cost for property taxpayers in municipalities across the province, certainly in Welland-Thorold.

I would only add that Welland-Thorold is already hard hit because of the incredible costs across all of Niagara region of the Colter inquiry into the Niagara Regional Police, costs which are

in part paid by the province, but not those costs, millions of dollars, incurred by the Niagara Regional Board of Police Commissioners, which of course has to appear in front of this hearing represented by a counsel. Those costs are already creating an incredible burden for the police budget in Niagara region, for people in Welland-Thorold, and this will create costs that are equal to that, if not greater. The community is no more capable of bearing these new costs that this government is creating than it is the costs of the Niagara regional inquiry.

Mr Sterling: I want to support the amendment put forward by my colleague the member for Welland-Thorold, who prior to his incarnation as a member of this Legislature, most recently, I guess in the last six months, was involved in the practice of law in his community and is very much familiar with this issue, as he dealt with it on a day-to-day basis. I did have some limited practice in the courtrooms of Ontario, but that was some time ago and therefore I do not have the same first-hand knowledge that he does.

This particular amendment gets over several problems that have been brought to the fore by many of the people who appeared in front of the justice committee during our recess between 2 February and 25 April, I believe was when we returned here.

This amendment does a number of things. First of all, by putting it all in the hands of the Ontario Provincial Police Force, it takes care of the—I am not sure of the figure, and I may have erred in saying it was a \$100-million problem. I had heard that for one area of the province it was \$20 million, but that was the area where it is more greatly populated, so I may have exaggerated when I said \$100 million, but in spite of that, it is going to cost municipalities well in excess of \$20 million in order to take over this responsibility.

By accepting the amendment that the member for Welland-Thorold has put forward, we are taking the responsibility the administration of justice should have and putting it on the shoulders of the provincial taxpayer as a whole. As I expressed in my opening remarks, this law, Bill 187, is an unfair meting out of financial responsibility for court security on some of our citizens of Ontario while letting other citizens of Ontario off scot-free.

I should not be complaining, because the riding of Carleton gets off scot-free. But I do not hear the members for Ottawa Centre (Mr Patten), Ottawa West (Mr Chiarelli), Ottawa South (Mr McGuinty) or Ottawa East (Mr Grandmaître) being concerned about what their property

taxpayers are going to pay in order to provide security in the Ottawa courthouse. They do not seem to be concerned about their constituents.

As the only member of the Ottawa-Carleton area who seems to want to bring to the fore some of the concerns of the taxpayers, even though they are not within my own constituency, I think it is unfair to the city of Ottawa to burden them with the full costs of security when many of the cases and the police forces that are utilizing the court facilities in Ottawa come from outside that area.

This is not only true in the Ottawa-Carleton area, it is true right across this province. We saw that in terms of the return we had received from the provincial police associations. In some municipalities, when they were asked what impact this would have on them, the answer was zero in some cases and a very large figure in other cases.

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What this amendment does is take care of the financial problem. Our rules are somewhat archaic in the kinds of amendments we can put forward in this Legislature. The chairman rightly ruled out of order the previous amendment the member for Welland-Thorold put forward that financial responsibility be accepted by the province in compensating the municipality. We still have this archaic rule in our standing rules, and I believe it is actually embodied in the Constitution of Canada, I think in section 15 or 16. I do not know if the clerk nodded. Was it section 15?

Clerk Assistant and Clerk of Committees: It is a standing order.

Mr Sterling: I thought the Constitution would have to be changed in order for us to be able to change our standing orders to allow us to introduce amendments which would impose some financial burden on the province.

We have an anomaly. What we have to do is word an amendment in another way by saying the government is going to provide a service rather than cash, which is kind of a ridiculous rule to stand by. As parliamentarians, I think we should change that rule rather than bring forward the draconian changes this government is doing to try to muzzle the opposition in the future.

While I am supporting this particular amendment, one of the things that was brought up time and time again during the public hearings was the apparent conflict of interest that will occur in our courtrooms from day to day.

One of the reasons the police forces themselves do not want to be involved in courtroom

security is the fact that in many cases they are on one side of the case. They are prosecuting individuals in our courtrooms on a daily basis, yet the judge who is sitting in judgement against the accused has to deal with the police as to his own security and the security of the other people in his courtroom.

This was brought forward as a matter of policy and interest by the police themselves. They saw that this was a very direct conflict and were not satisfied with the status quo where they now provide some security within our own courtrooms. It seems to me that if a judge is not satisfied with the deal that has been struck for that day for security in his courtroom, he very well, inadvertently, mind you, might make a disposition of that case which he might not otherwise do if he was not dealing with one of the litigants in the case.

It is the same as my going into a courtroom and being on one side of the courtroom against another person in a civil lawsuit, with the judge saying to me, "Mr Sterling, I need your assistance in such-and-such a case." So we have to negotiate a deal, the judge and myself, before I enter into the trial. Then the judge is supposed to have a clean and objective mind as to the issues placed in front of him in making the decision.

I do not think the courtroom security issue is going to cloud the judgement of many of our judges in Ontario, but it has the potential for conflict of interest to occur right at the very heart of our justice system. This point was brought forward by many of the police forces and by many of the people who appeared in front of the standing committee on administration of justice in March.

While I support this amendment because it deals with the cost situation, I would also prefer, quite frankly, to see the Attorney General create his own security force for our courtrooms across Ontario and provide it with a standard of training which would be acceptable across the province.

The other good part about the amendment that the member for Welland-Thorold has brought forward, however, is that by having one police force involved in it rather than—I believe there are 48 or 50 different police forces in Ontario—they could properly train those police officers as to special duties that would be required to provide adequate security within our courtrooms.

While members opposite have talked about police officers bringing in the accused, we are not talking about a court security problem only when we are dealing with a criminal process. In fact, most practising lawyers would tell you that

security in a courtroom is more important in family court than it is in any other court. That is because emotions run much higher in family court. There are no police around in family court in normal hearings and now, as Judge Nevins has pointed out to us, there is a significant problem in dealing with young offenders in the family court environment without having adequate security in that area.

Therefore, I urge the parliamentary assistant to listen to the concerns of Judge Nevins and perhaps accept the amendment of my friend the member for Welland-Thorold.

Mr Offer: It gives me pleasure to rise with respect to this amendment. I would like to indicate at the outset that we will not be supporting the amendment and I would like to indicate the reasons upon which we will not be supporting the amendment.

First, it flies in the face of the principle upon which this particular legislation is founded, and that happens to be that the local police force is best able, best equipped, most knowledgeable and most professional to provide the type of security that those who are found within the courthouse not only need but deserve.

Through our deliberations, in terms of some consultations through the committee hearings and clause-by-clause analysis which went on in the justice committee, we have gone through this type of discussion earlier. I would like to once more reiterate that we believe the local police now provide that security in most locales throughout the province. We feel that, in terms of the security in any one particular courtroom or courthouse at any one particular time, we are not talking about a constant.

I am sure, Mr Chairman, you will know from your experience that there are on occasions particular court cases which pose a greater security risk, by their own nature, to those who are found within the courthouse at any one time. The question becomes, who is best to evaluate the type of risk that a particular courthouse runs? We feel it is the local police.

In the area where it is a municipal police force, that force ought to make that decision. If it is in an area in which the Ontario Provincial Police is providing that particular policing, then it should be they. We feel that this type of knowledge, on an ongoing, almost hourly basis, does provide that necessary protection to all of the participants in the courthouse and the courtroom.

As I indicated in my earlier statement when we first went to committee, we were basically confronted with three options: first, to continue

the somewhat ad hoc type of approach that goes on now throughout the province; second, to provide somewhat of a provincial police force; third, to give the responsibility to the municipal forces in the area.

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We decided, as is our responsibility and in keeping with the principle of how best to secure courtrooms and courthouses in this province, that it is the municipal police force that is best able, best equipped and most knowledgeable and that the people who find themselves within the courthouses are best served by those persons providing that particular service.

I speak without hesitation against this amendment. I believe that the responsibilities enshrined in the legislation currently before members do well to protect the interests, safety and security of the courtrooms, courthouses and all of the participants within them.

Mr Kormos: Having heard everything that has just been said on behalf of the government, the one thing that the municipal police force is least equipped to do is to pay for the enormous cost that is going to be incurred by virtue of the responsibility that this imposes on them.

Having listened very carefully to the government's argument on this amendment, I am still at a loss to understand how the government can perceive it as in any way being fair when it has already been raised by others in this discussion about the inequity that is generated between areas that are policed exclusively by the OPP and areas which are not policed exclusively by the OPP. In the one area, the OPP will accept the financial cost or burden of courtroom security. In municipalities with their own police forces, the municipal ratepayers are going to have imposed on them the incredible financial cost of courtroom security.

Second, notwithstanding that inequity, it remains that police forces—at least where I come from in Welland-Thorold in the Niagara region—do not have the financial resources to permit them to assume this costly responsibility. There is no suggestion anywhere, in anything that the government has said about this, of a means of reimbursing communities, municipalities or property taxpayers for the increased financial burden that this bill imposes on them.

Mr Sterling: It is important that we look back to the Anderson report again. The Anderson report, as I mentioned in my opening remarks, is a report which this government relied on to draw up Bill 187. Recommendation (e) on page 24 says that, "The moneys appropriated to the

Ministry of the Attorney General be adequate to ensure that the police can provide the desired level of court security and provide for the safe and secure transportation of prisoners, both at the least possible cost to the government of Ontario."

What the Anderson report says is that it agrees with the parliamentary assistant that the municipal police forces may be the best ones to provide courtroom security, but that the Attorney General should be the guy who pays the bill. What we have seen this government do is take the nice sections out of the Anderson report which favours the government, shove the responsibility on our municipalities and our property taxpayers and walk away from the situation.

It is totally unacceptable. They have taken a report which was drawn up in consultation among various ministries of this government, and the various ministries have advised the Attorney General that the Attorney General, who is responsible for the administration of justice in this province, should also be responsible for paying the bill.

Municipalities across this province are mighty upset with this government not only for shoving this bill down upon them, but because it has done that in many other cases and is not taking its fair share with regard to this matter. Therefore, I urge any member of the Legislature who has a respect for the property taxpayers in his own constituency to support the member for Welland-Thorold's amendment to section 1.

Mr Offer: I will be very brief in terms of response. I think what one has to realize in terms of this legislation is that the decision of how best to secure a particular courtroom or courthouse in this province is best left with the municipal police force. As I indicated earlier, that decision-making is best left with the individuals and the particular force that is most knowledgeable and best able and best equipped to determine the type of security that the participants within the courthouse, witnesses, lawyers and judges alike, not only need but deserve.

I make it very clear that this legislation does not prescribe what that decision ought to be. It does say only that the decision is within the discretion of the local police force. This legislation does not say that there must be a first-class constable in every courtroom in every courthouse in this province. What the legislation does say is that the municipal police force is the one that is best able to make the decision to maintain the type of security required in a particular courtroom or courthouse on a particular day.

I believe that that principle, founded within this legislation, is one which serves the people of this province in the most beneficial manner.

Mr Sterling: I was going to raise this issue a little bit later, but the parliamentary assistant draws me into it at this stage. I think it is important to know that when governments make or draw up legislation, they get the best possible advice before they start drawing up their bill, which is Bill 187 in this case.

What did this government do? It had an interministerial committee headed up by General Anderson which reported on 11 September 1987. The very first recommendation was that "the government accept the principle that the Ministry of the Attorney General is the responsible ministry for ensuring that the level of security in the courts of Ontario is adequate." What does Bill 187 do? It says: "We're not responsible. We're going to let each and every municipality decide that."

I am going to draw to the attention of the Legislature again why that is a dangerous route to take. It was recognized by the government's own policy advisers. The government has neglected their advice and gone in the exact opposite direction. This is bad law. It is unfair in financial terms and what we have ended up with is a justice system which is going to be weaker than the present justice system after Bill 187 passes.

Mr Kormos: The most recent comment by the parliamentary assistant really generates more concern than anybody might ever have had about the bill, because now it becomes a bill that we are told is addressing the obvious and widespread problem of a lack of courtroom security, but it is a system of so-called courtroom security that has no standard, no financing and no direction, even to those people upon whom the responsibility to provide security is imposed, municipal police forces.

Really, when all is said and done, if and when it ever passes, this bill is going to do nothing to generate more secure courtrooms. The province still is going to be hearing provincial judges on CBC radio morning programs complaining about the lack of security in places like old city hall. People across the community, across the province are still going to hear complaints from judges in smaller communities, those which do not have large courtrooms like old city hall. Participants in litigation, be it criminal courts or noncriminal courts—family courts—are still going to be at risk because they do not know what is going to be provided to them. As I say, no financing, no standard, no direction is tanta-

mount to saying we are going to ignore the existing and obvious problem of lack of courtroom security.

1630

The Deputy Chairman: Thank you. Can we now put the question?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Motion negatived.

The Deputy Chairman: The next amendment we have also deals with section 1. I assume that copies have been distributed. Just for the sake of clarification, could the member for Carleton confirm to me which section this amendment attempts to amend?

Mr Sterling: I had an opportunity to talk with the clerk at the table. I intend to amend section 1 of the bill, which is section 57a of the act, and would be adding a subsection to that part.

The Deputy Chairman: Mr Sterling moves that section 1 of the bill be amended by adding the following subsection:

"(4) The Lieutenant Governor in Council shall provide regulations setting out minimum levels of security for premises where court proceedings are conducted."

Mr Sterling: Under this piece of legislation, we do a number of things, as we have found from the debate until now. First, what we have done is say to municipalities: "You are the best municipal police forces. You are the best to provide this service." We have just lost the battle with regard to that fight. We in this party felt that it would have been better for the Attorney General himself to have his own security force to deal specifically with security in the courtrooms across Ontario and to pay for it. We have lost that battle. They have dumped this responsibility and the cost of the responsibility on municipal taxpayers who are unfortunate enough to have a courthouse in their municipality. If they do not have a courthouse, they do not pay.

What I would like to do by introducing this amendment is to make certain there is at least a minimum standard of level of security for each and every courtroom across Ontario. It would lessen the conflict which I believe is going to emanate out of Bill 187 between our police forces and the judiciary that runs our courtrooms on a day-to-day basis.

In Bill 187, under section 2 we strip our sheriffs of the responsibility which they formerly had to ensure the safety of our courtrooms. I refer

to Judge Nevins's letter and I ask the parliamentary assistant to respond to Judge Nevins. I am trying to find the comment within the letter that I read earlier in this debate.

This bill contemplates the repeal of that section of the Sheriffs Act that obliges the sheriff to give his attendance upon the judges for the maintenance of good order. We are left confused as to what the role of the sheriff and his officers will be, and precisely what the expression "decorum within the courtrooms" really means.

What we have done in this bill is take away the obligation or the responsibility that the sheriff had. What he did in the past was meet with the judge before he started his hearings. With each and every judge across Ontario, the sheriff would go into the courtrooms and say, "I am responsible, in effect, for providing courtroom security," and then the sheriff would take the concerns of the judge and go to the police, and sometimes pay the police to put security in the courtroom. But the sheriff was the power broker in dealing with it. So there was an intermediary, or a mediator, in dealings between the police and the judges of our province.

What this bill does is take the sheriff, plucks him out of the courtroom and says: "The judge and the police, you two go at it. But after you go at it, I want you to walk in the courtroom and forget all of the old feelings that might have been created by the police not providing the level of security that the judge sees fit for his or her courtroom, or by the police feeling that they have been leaned on too heavily."

The only ultimate sanction that a judge has is to say: "I'm not sitting this afternoon because there is inadequate security in my courtroom. It would not be responsible for me, as a judge, to go ahead with the court hearing with this level of security."

So I have moved as a very bare minimum that the Attorney General, through cabinet, make regulations as to what the minimum level of security shall be across this province. Then, at least we could minimize the confrontation between the police forces of this province and the judiciary on the bench as to what level of security should or should not be in the courtrooms.

I, again, read the recommendations of General Anderson—the first recommendation of the policy people in the ministries that are involved: the Ministry of Community and Social Services, the Ministry of the Attorney General, the Ministry of the Solicitor General—that "the government accept the principle that the Ministry of the Attorney General is the responsible ministry for

ensuring that the level of security in the courts of Ontario is adequate."

In his implementation recommendations, the first recommendation is that "the Attorney General, in consultation with the Solicitor General, provide guidelines governing the minimum levels required for court security."

What we have heard from the parliamentary assistant today is that this government wants to wash its hands of its whole obligation with regard to security in the courtroom. The only way that I can be sure, as a member of this Legislature, that they are going to take any responsibility in this matter is for me to put it in the legislation and force the cabinet of Ontario to take some responsibility in this whole matter.

They failed to take the advice of their policy advisers. They failed to take the advice of the people who came in front of the committee of this Legislature, almost with unanimity, calling for standards. They failed to take the advice of the judiciary, our judges.

The only solace I can get is for us to put a section in this act to force the Attorney General to accept an eensy-teeny little bit of responsibility in this whole matter. That is why I have put forward this amendment, which would force the government to set at least a minimum standard of security and we would ensure each and every litigant, each and every person who is called in front of the courtrooms from one end of the province to the other, that at least there is a bare minimum level of security that he could be ensured was going to be there when he showed up in court on the particular day that he has to go through that unfortunate circumstance.

As I say, I believe it would lessen tensions between our judges and the police and it would make the system a much better system than is envisaged by Bill 187. I still believe Bill 187, as a total, is a negative step for our justice system and is going to lead to more delays because judges, when they get in this conflict, are going to close down courtrooms from time to time because there is not adequate security, in their eyes.

I put forward this amendment in the spirit and the hope that the parliamentary assistant to the Attorney General has been listening to the debate and will accept at least one opposition amendment with regard to this legislation. It seems to be a trait of this government that any suggestion put forward by the opposition is, by its nature, not satisfactory to the government. They will not listen to the public input.

In fact, on Monday, I was disgusted by the Liberal Party's attendance at the justice commit-

tee. The Liberal Party has seven members on that committee, and when we had hearings in April, when we had members—

Hon Mr Sorbara: You don't have any member of your party in the House. Look behind you; there is no one there from the Tory Party.

Mr Sterling: Do you want to call a quorum, Mr Chairman?

The Deputy Chairman ordered the bells rung.
1644

Hon Mr Sorbara: No Tories came into the room.

Mr Pelissero: Let the record show no Tories came into the room.

Miss Roberts: But Norm is the best Tory there is. Let him talk.

The Deputy Chairman: Order, please.

Mr Sterling: I did not think they were awake this late in the legislative week, Mr Chairman.

Mr Allen: You brought them out of the woodwork.

Mr Sterling: Yes, I brought them out of the woodwork.

Hon Mr Conway: We are more listening than your colleagues are.

Mr Sterling: My colleagues relegated this responsibility to me and have full confidence in my ability to be able to carry this bill and put forward—

Mr Ballinger: You sound like Kormos.

Mr Sterling: I was saying about the participation of the Liberal backbenchers on Monday—I was talking about the members—that during the public hearings we had seven Liberal members on the standing committee on administration of justice, including the parliamentary assistant, Mr Offer, and the chairman, Mr Callahan. But on Monday, even though we had five other Liberal members during the justice committee, to hear the public talk about Bill 187, to hear their submissions—I believe we had about 20 different submissions from different municipalities, different municipal police forces, from the Association of Municipalities of Ontario.

We had five Liberals go through all of the public hearings who did not show up on Monday, when we were considering the clause-by-clause section of reading this bill. Therefore, everything that was said during the public hearings went for naught, because we had five trained seals—red ones—come into the committee, look over to the parliamentary assistant and ask whether they should nod yes or no, because they had not read the transcripts from the hearings. They had not

taken the time, I do not believe, to even read the bill, and when they were asked to bring forward amendments on behalf of the government, they could not even explain their own amendments. What kind of a legislative process does this government want to run?

Now the government is putting forward motions to change the standing orders to muzzle the opposition, and it does not even understand the basic respect which one must have for the parliamentary process in listening to public presentation, taking the best you can out of it, and making some worthwhile amendments to legislation, because it does not matter whether—

Mr Ballinger: Are you saying you guys did for 42 years? You are dreaming.

Mr Sterling: The member for Durham-York—

The Deputy Chairman: Order, please. The member is provoking a bit of disorder and I want to remind him of standing order 19, paragraph (d)2: "In debate, a member shall be called to order by the Speaker if he...directs his speech to matters other than: (i) the question under discussion, or (ii) a motion or amendment he intends to move, or (iii) a point of order."

The question under discussion is your amendment and I am asking you to direct your remarks to that amendment.

Mr Sterling: I believe that is exactly what I was doing, because, quite frankly, this government not only will not listen to the opposition or debate, it will not listen to people who put a lot of energy and effort into bringing presentations to committees. They put a lot of work into these submissions; it costs a lot of money for five or six very skilled people to come in front of a committee of the Legislature to forward their concerns and to answer questions to members of the Legislature.

I find it very repugnant that, when we get around to actually dealing with clause-by-clause sections and whether or not we should amend one section or the other, the same members who were involved in hearing the submissions do not show up; and when there are 94 members on the government side, I believe, to deal with the amendments. I do not know whether debate matters in this Legislature any more.

1650

I do not know whether, when I put forward an amendment, there is any opportunity or chance that the government might sit back and say, objectively: "Yes, this makes some kind of sense. Maybe we should set some standards and

deal with this in an objective manner, look at the evidence and draw a conclusion.”

I only say that I did have the opportunity to present legislation in this Legislature. Probably I presented over 20 different bills to this Legislature, either as a parliamentary assistant or as a minister of the crown. I want to tell members that I did accept amendments to the legislation from opposition members, not only in minority parliaments but in majority parliaments as well. But I see little evidence that this government, even on justice issues that generally do not evoke as much partisan debate as do other kinds of legislation, I see very little movement on the part of the Attorney General to listen to what is coming forward.

I was really upset on Monday, when we had a majority on that committee, five members who controlled that committee—a total of five votes controls it—who had not heard one bit of evidence in relation to Bill 187, who looked to the front and said, “Do we vote yes or no on this amendment?” Not one individual thought based on the evidence that was presented to us. I find that extremely insulting to each and every group that came in front of that committee. They spent their time and energies, respecting the democratic system. To have to go through that and get treated in that manner, I do not buy that.

With regard to this particular amendment, I want some level of minimum security set, so that people who are being tried in Ottawa-Carleton can be assured they are getting the same level of security as they might in the city of Toronto or in the city of Windsor. I want to see the Attorney General accept some responsibility before Bill 187 becomes law.

Therefore, I would ask my colleagues in the Legislature to try to look at this amendment and ask: “Why can’t the Attorney General and acting Solicitor General sit down and draw up some guidelines? Why do we have to dump all the responsibility on the police forces, which are going to be constrained in this area by budgets? Is it going to be a question of putting another police officer on the beat, or are we going to put him in the courtroom or put him investigating other criminal activities?”

There is going to be a squeeze in the budgets and the police commissions. They were quite frank in bringing that to the attention of the committee. They said, “Court security is probably not going to be as good as it should be, because how are we going to increase our budget at a rapid pace when in fact our municipalities are

being pinched in other areas?” It is going to be a real problem.

Therefore, I would ask the parliamentary assistant to consider this amendment and take some responsibility in setting some minimum standards.

Mr Kormos: With respect to this amendment, I want to read again briefly from the 1987 Zuber report that we made reference to a little bit earlier. In addressing the responsibilities of the sheriff and the general issue of courtroom security, he wrote:

“Municipal police forces are under municipal direction and have their budgets, staffing and training set by municipal authorities. If municipal police forces are employed in the provision of courthouse security, appropriate arrangements must be negotiated with the municipal police forces to assure the provision of the right kind of service and the availability of that service as required by the courts.”

He goes on to comment that these factors tend to suggest a provincial force should be responsible for the provision of courthouse security generally. That is unlikely to be the case in view of the approach taken by the government to the last amendment, not this one. It remains in his comments that appropriate arrangements must be negotiated to ensure the right kind of service and the availability of that service.

Then when the bill is examined one sees that without funding, without direction, without standards and without guidelines, it basically becomes a nonbill or a bit of nonlegislation. At least there is some solace in that the motion of the member for Carleton seeking the amendment begins to provide a little bit of the direction and standard that is lacking in the bill itself.

It does not make the standard one that is determined legislatively, as compared to one, as is indicated in the motion, that is determined by the Lieutenant Governor in Council. All it does is set out minimum levels. It ensures that for judges, participants and other actors in the courtroom scenario, there will be a minimum standard of courtroom security, and what it will be. It permits people who use the courtrooms, either as judges, participants in the process or mere spectators, to have an expectation of what they can expect at the very least.

It also gives the police in the respective municipalities some direction and guidance as to what is expected of them. It begins to create a province-wide minimum standard so that there is some consistency from courtroom to courtroom. In the absence of this amendment, there

certainly is nothing indicating what is expected by way of courtroom security.

There is not even a suggestion whether it is a matter of wandering people going into a courtroom, doing metal searches, as is done in old city hall here. It does not indicate whether it is a matter of having armed police officers present in a courtroom. It does not indicate whether or not it is police officers at all who are to perform the security role as compared to other civilian security personnel.

Those are the obvious questions to be asked by participants in courtroom processes and which are to be asked undoubtedly by ratepayers in a community, who are going to have to pay. This is something the parliamentary assistant has not denied, to his credit, and seems unable to deny: Ratepayers in municipalities where municipal police forces are providing the security are going to have to pay, and pay dearly.

As has been indicated more than once now, in those communities that are OPP policed, ratepayers will not have to pay. But it remains that ratepayers, municipal taxpayers, alone deserve some awareness of what the government expects of the security personnel it is calling on the police to provide. They deserve that because they are the ones who have to pay for it and they deserve an opportunity to provide some input into the provision of that service, since the dollars and cents that provide that service are coming directly out of their pockets and certainly not out of any contribution by the provincial government.

Mr J. M. Johnson: When this bill was introduced for first reading, I brought to the attention of the parliamentary assistant the very concerns that have been expressed by the last two speakers. I mentioned the fact that in my riding of Wellington there are 21 municipalities. Four have police forces, two have courts and two have a police force and a court. They are going to pay very high costs. Yet the other municipalities will not pay anything. Is this equitable?

When I asked the member that before, he said he would listen to proposals, have public hearings, listen to input from the people and would likely be willing to make changes. As my good friend and colleague the member for Carleton has pointed out, he is totally incapable of accepting amendments for whatever reason. What is the point of the exercise of deceiving the people by suggesting that there be public hearings when it is a meaningless process?

If "deceiving" is too strong, then let it be whatever, but the people really do feel, when they make presentations in public form to committees of this Legislature, that it is a meaningful process and that surely someone on that committee listens and then tries to make amendments or changes to legislation. If that is not the process, then why go through the exercise?

Why does the member suggest that the municipalities that are going to be faced with these extra costs have the opportunity to present their case when he has already made the decision that he is not going to pay any attention to them? I find it most frustrating that the parliamentary assistant does not particularly care what anyone says at this present time.

I make the point that if we are not going to pay any attention to the committee system, then there is no point of having committee hearings. This coming spring, summer, fall, winter or whenever the House breaks, I assume they will set up committees. Also, I assume bills will be sent to the committees. If the same process follows this session this summer as it has in the past, it will be a meaningless exercise. I hope that the whip has some sense of responsibility when he names his members to the committee and that they act in a reasonable manner and not like they have in the past, especially in this committee.

Mr Offer: I have read over the amendment provided by the member for Carleton talking about minimum levels of security. Indeed, within this legislation what we are addressing is the type of security required for a particular courtroom and courthouse throughout the province. We have addressed it on the basis that it is the local police force, which as I have indicated earlier, is best able, best equipped and most knowledgeable in terms of the cases coming before the court and in terms of the risk they might pose to the people within the courthouse. It should provide that decision-making in the maintenance of security.

We think we have gone much further than the amendment provided by the member. We think we have, through this legislation, come to grips with the ever-changing ebb and flow of security within a courthouse in terms of the types of cases that come before it. While that is really not debatable, because it happens to be a fact. I think all members who have ever found themselves within a courthouse or a courtroom know that in terms of the cases coming before the courts, there are different levels and variations of security. Who is best to provide that?

I was reminded during the committee—I was very pleased during the committee—of the inquiring and searching minds of the members of the government party who immediately understood that question. When persons came before that committee, it was the members of the government, listening intently to the principles brought forward, who would ask those people, “We understand what you are saying, but who is best to make that decision, who is best to determine the security, the protection of the people within the courtroom?”

I think it is fair to say that it is the local police force which has that particular expertise and knowledge. I must say that as the parliamentary assistant to the Attorney General, I was both pleased and proud of the participation of the government members of that committee because they sat, listened, understood, questioned and in the end made the decision that is their responsibility.

The Chairman: Are we ready for the vote?

All those in favour will please say “aye.”

All those opposed will please say “nay.”

In my opinion the nays have it.

Motion negatived.

The Chairman: That being the last amendment to section 1—

Mr Offer: That was section 1.

Mr Sterling: I realize that. Sorry; I intended to distribute these and I have not. I will read the amendment.

The Chairman: Mr Sterling moves that section 1 of the bill be amended by adding the following subsection:

“(4) The Solicitor General shall be responsible for providing centralized training for persons providing courtroom security.”

Does the member for Carleton have an opening statement?

Mr Sterling: Yes. Again, I am going back to the Anderson report, the report on which this government based its logic and reasons, whatever they were, for creating Bill 187. I thought one very small part of the Anderson report that they would accept would be some responsibility for this government to say, “Yes, municipal police forces, you are responsible for providing the security, but at least the province is going to take some lead in providing some training for the people who are actually providing the courtroom security.”

There are some very special problems that are associated with keeping the courtroom and the

premises therein in a secure manner. Many of the problems that will be faced in the courtroom at one end of the province will be common at the other end of the province. I read recommendation (h), which says, “The Ministry of the Solicitor General be responsible for providing, on a cost-recovery basis, centralized training for special constables hired under recommendation (g) to the extent that there is a local demand.”

In this case it says, “on a cost-recovery basis.” I am not saying that in my amendment, but Anderson also had in his report that the Attorney General should be responsible for all the costs of providing security in the courtroom, not that it be dumped on the municipalities as Bill 187 does. What I am saying to the Attorney General is, will he or his colleagues not provide, at the Ontario Police College or wherever, the facility, the training, for people who are going to be put into the courtroom?

I think it is more particularly of concern to the smaller municipalities rather than to the larger municipalities. The larger municipalities will have a number of these people. I believe it is going to require somewhere in the neighbourhood of 120 to 150 additional constables who will have to be hired in the city of Toronto in order to meet with Bill 187. The taxpayers of Toronto will be taking it up; it will be necessary for them to foot that bill.

1710

But it is more important in the small towns, in the smaller areas of the province, like Prescott, which has a police force of 12 people; Brockville which I believe has a police force of 20 to 25 people, and Kemptville, which has a police force of four but has a court that sits there. I want the province to accept some responsibility for at least offering it to these areas:

“We will offer you some specialized training to deal with specific kinds of problems you face in the courtroom from day to day. This is how you can do it most efficiently because the municipalities are having to pay and this is probably what is going to be asked of you by our judges from around the province. This is how you best can do that.”

This amendment puts an obligation on the Solicitor General to provide training for persons who are going to be involved in courtroom security. I do not think that is too great an obligation to put on the Solicitor General. As I mentioned, they already have a police college at Aylmer which has enjoyed a significant reputation, at least in the past.

I ask that the government live up to at least one of the recommendations of the Anderson report, one of the recommendations from the interministerial committee of all of the different ministries of this government, one of the recommendations where the government has an obligation and is not dumping it off on the municipalities. So I ask for their support.

Mr Kormos: I am well aware of the position the Anderson report took on this matter. Obviously, when the legislation as it stands does not specify that it is to be police officers, municipalities are going to be forced to look to the least expensive option. What that means is hiring civilian security personnel.

Police officers are described by Anderson as, among other things, not only being expensive for this type of purpose but also in many respects overqualified; that is to say, a person performing the role of courtroom security personnel need not have the qualifications a police officer has. At the same time, we have the pressure on the municipality to pick the least expensive option, because the incredible increased cost to the municipality this is going to generate still has not been addressed, either in the course of this afternoon or previously during the course of the committee hearings.

I suspect a whole lot of people would welcome some explanation offered by the parliamentary assistant or any other government member as to how these costs are going to be relieved, if at all, by any sort of provincial involvement. There is certainly nothing in the legislation or the bill now to suggest that the province is even interested in helping to relieve the incredible financial burden this puts on municipalities, big and small, across the province.

When municipalities are forced into the least expensive option, which means hiring civilian personnel—and one can envision, if there are not training facilities provided, the use of, let's say, commercial security personnel who range in their degree of skill and in their ability to perform an adequate security role—recognizing that municipalities and municipal police forces themselves do not have the facilities, do not have the capacity to provide training, to provide programs, to provide specific training that is suitable for the type of role that is going to be expected of these people, which is why of course I am in support of this amendment, it then falls upon the government to provide that uniform, centralized type of training.

The absence of that type of training not only puts at risk and at peril people using the

courtrooms, but puts at risk and at peril those personnel who are called upon to perform the security role because the least expensive options—civilian security personnel—are going to be thrust into situations for which they are ill prepared and for which they are poorly trained, if not totally untrained.

The only way of ensuring the safety of persons using the courtroom and the safety of the people being called upon to provide the security is to adopt the amendment proposed by the member for Carleton and to ensure that there is centralized, uniform, across-the-province training for personnel performing this role.

The comment may well be that municipal police forces are best suited to determine the security needs of a courtroom, but municipal police forces are not suited to providing training for personnel who are called upon to perform that role.

The police forces across the province would be in agreement with this proposal. It would ensure the safety of people using the courtrooms as well as the safety of the persons performing the security function.

Mr Offer: We will not be accepting this amendment because what it does is fly in the face of the police making the decision in terms of the type of security that is required within a particular courtroom.

In that determination, there will be a number of factors which the police will have at their disposal such as the type of cases, the type of traffic that is going within a particular courtroom, the type of persons who are best able to provide the security, and coupled with that, the training that those persons may have.

This is, in fact, one of the very important decisions that this bill is saying the police are best able to make. We do not think we should in any way shackle the police in the making of the decision in terms of how best to secure a particular courthouse.

Mr Sterling: I really have trouble following that line of logic and argument. I think it is really stretching the case to say that by providing training for people who are involved in courtroom security you are going to set the standards back home, when you get there, as to how many special constables you are going to have in any given courtroom.

I have never heard such weird logic in arguing a position. I believe all this does is say: (1) the Solicitor General has to have a course to train people who are going to be involved in the security of the courtroom; (2) the Solicitor

General has to pay for that, and (3) he invites people to come to that if they want to come.

I do not know how that forces a standard on a municipality that cannot afford to send somebody down to the training course. I do not understand how it sets a standard there. I do not know how telling somebody how to deal with a touchy situation in family court sets the standard in family court.

The only thing that will set the standard in the family court is how many people you will have in that courtroom and at what level of training each and every one of those people who are in the courtroom will have had in being hired to be involved in that situation.

I cannot believe that when this government wants to wash itself of the responsibility—responsibility which should really be on the shoulders of the Attorney General of this province—it is so frightened to be involved in the whole matter that it is washing its hands of it.

I see the member for Niagara South (Mr Haggerty). It is like saying to our volunteer fire departments: "Look, you know how best to take care of fires in your area. Therefore, we are not going to provide any kind of training courses for our volunteer fire people."

Mr Villeneuve: That is exactly what is happening.

1720

Mr Sterling: That is right. We have a college and we recognize that they should have some training, but it is the municipalities that decide how much equipment they will have, decide how many fire stations they will have and decide how many firemen they will have when they pay the firemen. They will try to attract volunteers into it, but the province provides a facility to train those people so that when they go out to the fires they will know how to react.

What I am doing in this amendment is just saying: "Mr Attorney General, this used to be your responsibility. You've washed your hands of every other part of the responsibility. Don't you think it would be good for the people who are involved in the security to have some centralized training facility where a small municipality like Prescott could send one or two people down and get a course on how to handle a touchy situation?"

There are differences in dealing with courtroom security from dealing with other police matters. There are differences. But this government will not even take that very minimum step.

Mr Haggerty: There are all kinds of police auxiliary groups that are well qualified to deal with this. They would love that idea.

Mr Sterling: I would love to see the police auxiliary groups get involved in it if they want to get involved in it. But I will tell the member what I would like to do for those police auxiliary groups who do not get paid. I would like to see them at least trained properly as to how to do it.

Mr Haggerty: Some of them are.

Mr Sterling: They are trained properly in some matters, but not in courtroom security. There is no special course for that. All I want is the Attorney General to say, "Yes, we'll at least do that little, tiny bit"—in his word "eensy-teensy."

Mr Offer: That was your word.

Mr Sterling: It was my word, okay. I will give you that.

I want the Attorney General to do a little bit—I think he understands that—to help the situation with regard to the municipalities. I mean, they are going down the tubes for \$20 million or more. What I am asking him for here is probably something that is one one hundredth of that.

The Chairman: Thank you. Are there any other comments? Are we ready for the vote?

All those in favour of Mr Sterling's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Motion negatived.

Section 1 agreed to.

The Chairman: Shall sections 2 to 4, inclusive, carry? No? We will take it one at a time then.

Section 2: and helping members of the general public in terms of some questions that they might have when they arrive at a courthouse. They would still be able to provide that type of function, but the security function would rest with the decision of the police force. The decorum function would clearly rest with the court attendants. That is why we have moved this amendment.

The Deputy Chairman: Are there any more questions? Are we ready to take the vote on section 4? Shall section 4 be adopted?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Section 4 agreed to.

Section 5:

The Deputy Chairman: Does the member for Carleton have an amendment?

Mr Sterling: Yes. I am trying find my copy of the amendment. Do you have an extra copy of it?

The Deputy Chairman: I do not know about an extra one, but I have one.

Mr Sterling moves that section 5 of this bill be deleted and the following substituted therefor: "This act comes into force on 1 July 1990."

Does the member for Carleton have an opening statement?

Mr Sterling: Yes, I do. Presently section 5 of the bill says, "This act comes into force on a day to be named by proclamation of the Lieutenant Governor."

I put the date of 1 July 1990 as the date when I would like to see this legislation come in place, because of the substantial financial implications that this is going to have on a number of municipalities across our province. I thought that by putting 1 July 1990, we would pick approximately half of the calendar year when the responsibility would be shoved on the municipalities to take over this responsibility, which they formerly did not have.

As most budget years for municipalities and police commissions run on a calendar year, it would therefore follow, if my amendment were accepted, that at least the first year would be a softening of the blow. Therefore, in the first year they would be responsible for providing only 50 per cent of the costs of providing security in the courtrooms across the province.

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I might add that there is a problem in training in the larger metropolitan areas. Places like the city of Toronto are going to have to assume not only the cost but the responsibility of setting up courses to train these people because the province will not even accept that responsibility. It is going to take some time to properly hire I believe over 120 to 150 different individuals to provide courtroom security in the city and in York region. I imagine there will be a great number of people involved there.

There is going to be the necessity of a rather lengthy period, first of all to get together the kinds of training programs that are going to be necessary for these people; second, to hire them; and third, in particular, to try to soften the blow in the first year of dealing with the transfer of this significant cost to municipalities and to municipal taxpayers across the province.

That is the reason why I have picked 1 July 1990 as the date when this bill should kick into effect and not leave it up to the whim of the Attorney General, who at this point has shown

little sensitivity towards the costs that are going to be borne by our municipal governments.

Mr Kormos: I support this motion, as I did in committee. I anticipate that the parliamentary assistant is going to talk about the matter of its implementation as being the result of discussion and consultation; recognizing and being sensitive to the needs of respective communities; recognizing that some are more and some less capable of implementing this, and the fact that some need more time and some need less time and that falls right in line with this whole concept of local optioning that has been the argument on his part throughout what I have heard him say about this.

So be it. Then there should be absolutely no difficulty in his adopting this amendment, because all this amendment does is guarantee a breathing space. It ensures municipalities and their police forces that they have at least that amount of time in which to prepare for this onerous and expensive task.

Indeed, that guarantee is the very least that is owed to those municipalities. Because they already made reference to how the implementation of this statute should not be subject to the whim of the Attorney General, I suspect the parliamentary assistant is going to say—well, whatever he says, its net content basically is going to be, "Trust me."

Quite frankly, municipalities really are hard pressed to accept: "Don't worry about it. Simply trust me." That ranks along with, "Nothing personal," and, "The cheque is in the mail." It is not appropriate.

The suggestion here is to concretize or firm up the point in time at which municipalities across the province that have courtrooms in them will be required to fulfil this function. Obviously any number of things can happen. Any number of things could be done voluntarily, but what this does is create a guarantee and perhaps it would go a long way to restoring some of the lost trust.

Mr Offer: It is recognized by the ministry and has been for some time that there is going to have to be some lead time or some lag time in discussing the implementation of this particular legislation with the different groups and bodies who are going to be responsible for the decision-making in terms of the security of the court-houses.

That is a matter which has been made quite clear, not only during committee but also by ministry staff who have been working very closely with many of the persons who are going to be impacted. Because of that type of assurance, we see no need for the creation of a

date certain, because of the ongoing discussions which are continuing to take place between ministry staff and those bodies that will be potentially impacted by the legislation.

Mr Villeneuve: Can I gather, from the parliamentary assistant's comments, that indeed this could possibly come in later than 1 July 1990? It is a situation in eastern Ontario, and particularly in the riding I represent, where we have public school taxes going up by 17.2 per cent and municipal taxes going up by a minimum of six per cent and up to over 20 per cent. Certainly, budgeting is very difficult.

I think in particular of the town of Alexandria, where the mayor has taken time to speak to me personally about his very, very deep concern. Alexandria has just lost its police chief, who was an Ontario Provincial Police officer. They now have had to absorb that particular cost to the town and now they are being faced with having to look after the protection and safety in the courtroom in seven municipalities within that county.

Is it possible that it could go into 1991? Indeed, with flat-lining our school boards and with a reduction in financial support, our municipalities are faced with very, very serious financial requirements. Is it possible that it could go beyond 1 July next year?

Mr Offer: In fairness, what the member is asking is for me to interpret section 5 of the bill, which states, "This Act comes into force on a day to be named by proclamation of the Lieutenant Governor." That mere fact says that it is on any particular date; it could indeed be on the particular days or years which the member has mentioned. I do not want the member to take it from my comments that this is the ministry's type of response; that is an interpretation of section 5. Section 5 is on any particular date to be named by proclamation of the Lieutenant Governor and, as such, there is no constraint or stricture on that particular date.

Mr Sterling: Since it is my amendment, I just wanted to say I think there is another reason why we put a date definite in a piece of legislation, and that is that this is a considerable transfer of responsibility to another group of people in the province. While we oppose that transfer—that transfer is going to take place over the opposition's objections—the idea of putting a date definite in the legislation is so that each and every member of the public who picks up the bill will know for certain when in fact the date of transfer of responsibility takes place.

I think, in light of the absolute abrogation by this Attorney General of the responsibility for

security in the courtrooms of Ontario, the very least he could do was (1), be definite as to when he was going to do it, and (2), give the municipalities at least a little break in the first year of the implementation of Bill 187.

The Chairman: Any other questions or comments on the proposed amendment to section 5? Are we ready for the vote?

All those in favour of Mr Sterling's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

The Chairman: Shall section 5 carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Section 5 agreed to.

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Section 6:

Mr Sterling: This will be our last opportunity to speak at this stage of the legislative process on this bill.

Hon Mr Sorbara: Do not use the royal we. "It is my last opportunity," not "our last opportunity."

Mr Sterling: I do not know what the Minister of Labour (Mr Sorbara) has objected to, but anyway.

I want to go back to the Attorney General's remarks when he said that "the bill is to make clear in statutory terms that municipalities... have responsibility for providing security in the province's courthouses."

What we in this party really wonder is if Bill 187 has anything at all to do with police efficiency or better courtroom security. It seems to our party that the main objective of this bill is to remove one more area of financial responsibility from the province by passing on the costs to the municipalities.

We have heard, at the standing committee on administration of justice, municipalities come forward and say that they cannot afford to take on yet another burden shoved on to them by the province. We have heard from the municipal police authorities that this bill, by taking away the responsibility from the Attorney General for courtroom security, is contrary to the philosophy of our justice system which we should hold and that there should be no conflict of interest in the courtroom. This bill does more than pass costs on to the municipality; it is bad law.

We have put forward and tried to put forward amendments in this party to make the bill more

palatable to municipalities. We in this party have tried to put forward amendments so that we can be sure that security in our courtrooms from one end of the province to the other will have some standard, albeit a minimum standard, so that each member of the public when he walks into a courtroom can be assured of some level of safety. We have tried to put forward amendments which would lessen the potential conflict which will exist between the judges of our province and the police of our province. We have tried to put amendments forward which do not tax one municipality while letting other municipalities off the hook. We have tried to put forward amendments to allow and take on the responsibility at the provincial level for adequate training for people who are going to be involved in the security of our courtrooms.

All of the amendments put forward by the opposition, some not very significant, have been rejected by the government. They were rejected in a committee manned by a majority of government members who had not been in attendance when public representations were made to that committee. I believe our parliamentary process has been dealt a bad blow by this government in its treatment of Bill 187 during the committee process before the justice committee. I believe the government members have insulted each and every representative who appeared in front of the justice committee to put forward his feelings on Bill 187.

In summary, Bill 187 is not only bad in terms of costs for municipalities; it abrogates the responsibility of the Attorney General to maintain security in our courtrooms. It is going to lead to a justice system which will tend to have longer waits for people to come before it because some judges are going to postpone trials because an adequate level of justice is not there. It is going to lead to confrontation.

This law has not even followed the policy advisers of the various ministries who were consulted in drawing up this law. Is it any wonder we in the opposition have fought so hard against this legislation? It is only too bad that even in that fight, the government did not have the integrity to properly deal with the democratic process and give a fair hearing and fair consideration to what the public and the opposition brought forward in trying to make a very bad bill even a little bit better.

The Chairman: Are there any more comments or questions before we proceed with section 6? That being the case, shall section 6 carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Section 6 agreed to.

The Chairman: Shall the bill be reported?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Bill ordered to be reported.

SMOKING IN THE WORKPLACE ACT, 1989 (continued)

Consideration of Bill 194, An Act to restrict Smoking in Workplaces.

Hon Mr Sorbara: Perhaps with the indulgence of the Chairman, I might move down to the front row as we consider Bill 194.

The Chairman: I am sure there would be no objections. Please proceed.

Section 1:

Hon Mr Sorbara: If I recall, the member for Carleton (Mr Sterling) had the floor when this committee last adjourned on this matter.

The Chairman: That is correct. On 16 May, when we left off, we were considering discussing Mr Sterling's amendment to section 1. To refresh everybody's memory, I shall read it again.

Mr Sterling had moved that "'employer' means a person who employs one or more employees or who contracts for the services of one or more persons;" be deleted and the following substituted therefor:

"'employer' means any person or persons who has control and responsibility for the workplace."

The debate may proceed. Did the member for Hamilton West (Mr Allen) have anything further to add?

Mr Sterling: Perhaps, Mr Chairman—

The Chairman: In that case, the member for Carleton.

Mr Sterling: I will say a few words. I think it is important to note that I recently read in the press that the no-smoking law was stalled, that the bells had rung and that was the reason we were not going to hit the 1 July date. I have made it known that it is my intention that I hope this law never becomes law because there are a number of very substantial groups that consider this legislation a step backward rather than a step forward.

I want to read to members the 24 April 1989 release of Health Organizations. This is their release. Norm Sterling did not write this release.

Mr Ballinger: Who's he?

Mr Sterling: I might have been even softer than this release.

Hon Mr Sorbara: You might have been what?

Mr Sterling: Softer than this release.

"Health Organizations Condemn Smoking Control Bill 194.

"Toronto—The Coalition of Ontario Health Organizations has denounced Bill 194, the proposed new legislation to reduce environmental tobacco smoke in the province's workplaces.

"The coalition, including"—listen to who this coalition is—"the Canadian Cancer Society, the Nonsmokers' Rights Association, the Heart and Stroke Foundation of Ontario, the Ontario Lung Association, the Ontario Public Health Association, the Physicians for a Smoke-Free Canada, and Alcohol and Drug Concerns described the Smoking in the Workplace Act, 1988, as based more on public relations than honest health policy.

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"The legislation, as approved by the standing committee on social development last Friday, was left largely unchanged despite strong criticisms by health groups and medical societies which revealed serious problems in the bill.

"This bill is so flawed that either it is significantly amended or these health agencies do not want it. Bad law is sometimes worse than no law. Every major health organization to appear before the committee pointed out that the failure to define what the government means by designating smoking areas makes the legislation all but useless.

"The government ignored our presentations at committee. Now we have the distinct possibility of an employer designating smoking areas by drawing imaginary lines around smokers and being in full compliance with the law.

"Tobacco smoke in the workplace is now recognized as a serious health hazard. 'It is known to be the cause of lung cancer in nonsmokers,' said lawyer John Ronson, chairman of the public issues committee of the Ontario division of the Canadian Cancer Society. 'The government seems more interested in appearances than it is on reducing discomfort and cancer risks in the workplace,' said Ronson.

"'Good health policy must be based on good science,' said Dr Mary Jane Ashley, chair of the Task Force on Smoking of the Ontario Heart and Stroke Foundation of Ontario.

"This legislation has very little to do with science. What we have here is the number one unregulated airborne carcinogenic risk in the workplace, and the government's response is to continue to permit smoking in areas occupied by nonsmokers.

"'A few days ago, the Health minister announced the intention to drastically reduce the exposure of nonsmokers in Ontario to second-hand smoke, yet ironically, one week later the Labour minister pushes legislation through the committee which may actually reduce the chances of a smoke-free environment for many workers in Ontario,' said Ashley.

"'Our organizations will press for amendments to this bill at third reading,' said Ronson. 'This bill must not pass as it stands. We will do all we can to get the people of Ontario to tell this government that weak legislation is no longer acceptable when it comes to dealing with tobacco control problems.

"That is how the Canadian Cancer Society, the Non-Smokers' Rights Association, the Heart and Stroke Foundation of Ontario, the Ontario Lung Association, the Ontario Public Health Association, the Physicians for a Smoke-Free Canada and Alcohol and Drug Concerns feel about Bill 194.

"This legislation is a farce. It does nothing to control smoking in the workplace. What it does is really give a licence for smoking in the workplace."

That is the concern of what I would call some of the most substantial groups with the greatest credibility in terms of their groups in Ontario. We are not talking about loosely knit organizations that do not have any history. We are not talking about loosely organized associations that take on a piece of legislation like this which could be of benefit to our people with regard to the diseases they try to fight. As we have said before, 35 to 40 people are going to die today because of firsthand and secondhand smoke. We want to cut out some of the exposure to secondhand smoke.

I have put before this committee many amendments and I am going to discuss those amendments in detail when we have a little bit more time than the five minutes that remain until adjournment of the House today. I would like at this time to give one of my colleagues an opportunity to make a few comments as he has been patiently waiting while we have considered other legislation in this Legislature and, therefore, I will sit at this moment.

Mr Allen: I thank the member for Carleton. I do not want to repeat what my colleague has said.

The words have been said very forcibly. I was in the committee as he was and listened to all the groups who came forward one after another and said to us, either on their own or when we asked them, "This bill is not the kind of bill we want as a precedent in this country, in this field of smoking in the workplace." They said it time and again and reminded us that Ontario was taking a step that has not been taken in other provinces.

They want a step that is a meaningful step. They wanted a step forward; they wanted to move forward very quickly on this whole area because the demonstrable results of environmental tobacco smoke are so compelling that it is difficult to deny the reasonableness of the kind of case that they make.

But there is another reason why I think it is important to reject this bill and why my own preference would be to have the minister withdraw it and draft something more appropriate in a field that he also is quite familiar with, namely and specifically, the whole world of health and safety in the workplace.

While this bill appears to be addressed to health and safety in the workplace, it does it in a very circuitous route. It does not do it in the way in which most health and safety legislation does, that is, by bringing it under the disposition of the Ontario health and safety legislation to declare that tobacco in the workplace is in fact an environmental problem in the workplace that has to be dealt with in terms of that health and safety legislation.

It has been presented essentially as employer rights legislation, employer obligation legislation, but none the less it is not in the context of the normal route of health and safety hazards and the definitions that go with that and the kind of precautions and safeguards that govern that legislation. Certainly the Ontario Federation of Labour, when its many affiliates looked at this question, was very much impressed by the arguments that the health sector presented.

They certainly agreed that there are major, major problems in the approach that this bill took in other respects, namely, the notion that somehow or other one could designate a non-smoking area effectively inside a workplace without enclosing it and separately ventilating it. They recognized what all of these studies, the physical studies of this problem have indicated, namely, that it is literally impossible to remove and to remove to any degree of acceptable risk the presence of environmentally borne carcinogens that derive from smoking in the average workplace by normal ventilation means or even

by excessive ventilation means; that in fact it would overload the ventilation capacities of the most ambitious ventilation system to reduce those carcinogens to a degree of acceptable risk or even close to acceptable risk.

But they went beyond that whole argument and they pointed out—perhaps it would be worth quoting what they say in their brief, because I think it is a point that is very appropriate for us to pay attention to. They derive their argument in the response to the judgement that was made in the Federal Court of Appeal on the public service staff relations board decision entered by the Public Service Alliance of Canada.

Without disputing that it was a health hazard, the majority ruled that it was not a dangerous substance within the meaning of the federal regulations because it did not originate from the employer's work processes but rather from the personal habits of one's fellow employees which the Ontario Federation of Labour said "reminds us of the fellow servant rule that exempts employers from vicarious liability for carelessness of one employee that injures another."

"What this means to workers is that where an employer wishes to impose arbitrarily a smoking ban or discriminatory hiring policies against smokers, he or she has this legal right under management's rights. But no protection is afforded nonsmokers under present health and safety legislation. As one study has concluded, in short, under the present legal regime, involuntary exposure to smoke on the job turns not on an assessment of associated hazards, but on the employer's claim to manage the workplace."

As I conclude these introductory remarks as we get back to the bill, surely a bill that deals with workplace hazards, of the kind that smoking represents, ought to be put on that basis in the field of health and safety and not in the area of employers' obligations or employers' rights. With that, I look forward to proceeding, in the next session of committee of the whole, with the next of our amendments.

On motion by Hon Mr Sorbara, the committee of the whole House reported progress on one bill and one bill without amendment.

BUSINESS OF THE HOUSE

Hon Mr Fulton: Pursuant to standing order 13, I would like to indicate the business of the House for the coming week.

On Monday, 19 June, we will proceed with government bills awaiting third reading, along with private bills scheduled for second and third reading. All those bills receiving third reading

will be presented to His Honour the Lieutenant Governor for royal assent in his chambers on Tuesday. We will then consider Bill 93, An Act to revise the Justices of the Peace Act, in committee of the whole House. Time permitting, we will consider the budget debate.

On Tuesday, Wednesday and Thursday, we will begin second reading of Bills 17, 18, 19, 20, 21, 22, 23 and 24. The order will be determined through further talks among the House leaders.

We will also consider second reading of Bills 201, 30, 31 and Bill 1. Any further business will be announced later next week.

Also on Thursday, in the morning, we will consider the private members' public business standing in the names of the member for Markham (Mr Cousens) and the member for Halton Centre (Mrs Sullivan).

The House adjourned at 1803.

ALPHABETICAL LIST OF MEMBERS*
(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

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|---|--|
| <p>Adams, Peter (Peterborough L)
 Allen, Richard (Hamilton West NDP)
 Ballinger, William G. (Durham-York L)
 Beer, Charles (York North L)
 Black, Kenneth H. (Muskoka-Georgian Bay L)
 Bossy, Maurice L. (Chatham-Kent L)
 Bradley, Hon James J., Minister of the Environment (St Catharines L)
 Brandt, Andrew S. (Sarnia PC)
 Breaugh, Michael J. (Oshawa NDP)
 Brown, Michael A. (Algoma-Manitoulin L)
 Bryden, Marion (Beaches-Woodbine NDP)
 Callahan, Robert V. (Brampton South L)
 Campbell, Sterling (Sudbury L)
 Caplan, Hon Elinor, Minister of Health (Oriole L)
 Carrothers, Douglas A. (Oakville South L)
 Charlton, Brian A. (Hamilton Mountain NDP)
 Chiarelli, Robert (Ottawa West L)
 Cleary, John C. (Cornwall L)
 Collins, Shirley (Wentworth East L)
 Conway, Hon Sean G., Minister of Mines (Renfrew North L)
 Cooke, David R. (Kitchener L)
 Cooke, David S. (Windsor-Riverside NDP)
 Cordiano, Joseph (Lawrence L)
 Cousens, W. Donald (Markham PC)
 Cunningham, Dianne E. (London North PC)
 Cureatz, Sam L. (Durham East PC)
 Curling, Hon Alvin, Minister of Skills Development (Scarborough North L)
 Daigeler, Hans (Nepean L)
 Dietsch, Michael M. (St Catharines-Brock L)
 Eakins, Hon John F., Minister of Municipal Affairs (Victoria-Haliburton L)
 Edighoffer, Hon Hugh A., Speaker (Perth L)
 Elliot, R. Walter (Halton North L)
 Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)
 Epp, Herbert A. (Waterloo North L)
 Eves, Ernie L. (Parry Sound PC)
 Farnan, Michael (Cambridge NDP)
 Faubert, Frank (Scarborough-Ellesmere L)
 Fawcett, Joan M. (Northumberland L)
 Ferraro, Rick E. (Guelph L)
 Fleet, David (High Park-Swansea L)</p> | <p>Fontaine, Hon René, Minister of Northern Development (Cochrane North L)
 Fulton, Hon Ed, Minister of Transportation (Scarborough East L)
 Furlong, Allan W. (Durham Centre L)
 Grandmaître, Hon Bernard C., Minister of Revenue (Ottawa East L)
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)
 Haggerty, Ray (Niagara South L)
 Hampton, Howard (Rainy River NDP)
 Harris, Michael D. (Nipissing PC)
 Hart, Christine E. (York East L)
 Henderson, D. James (Etobicoke-Humber L)
 Hošek, Hon Chaviva, Minister of Housing (Oakwood L)
 Jackson, Cameron (Burlington South PC)
 Johnson, Jack (Wellington PC)
 Johnston, Richard F. (Scarborough West NDP)
 Kanter, Ron (St Andrew-St Patrick L)
 Kerrio, Hon Vincent G., Minister of Natural Resources (Niagara Falls L)
 Keyes, Kenneth A. (Kingston and The Islands L)
 Kormos, Peter (Welland-Thorold NDP)
 Kozyra, Taras B. (Port Arthur L)
 Kwinter, Hon Monte, Minister of Industry, Trade and Technology (Wilson Heights L)
 Laughren, Floyd (Nickel Belt NDP)
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Hansard

Official Report of Debates

Legislative Assembly of Ontario



Second Session, 34th Parliament

Monday, 19 June 1989

Speaker: Honourable Hugh A. Edighoffer

Clerk of the House: Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday, 19 June 1989

The House met at 1331.

Prayers.

BOARD OF INTERNAL ECONOMY

The Speaker: Just before I call the first order of business, I beg to inform the House that I have laid upon the table a copy of an order in council appointing Gerry Phillips, MPP, as commissioner to the Board of Internal Economy in place of Joan Smith, MPP.

I also want to inform the House that I have laid upon the table the individual members' expenditures for the fiscal year 1988-89. The members will find copies placed on their desks in the chamber.

MEMBERS' STATEMENTS

SPECIAL EDUCATION

Mr R. F. Johnston: Becky Till is 15 years of age. She has not been in school since June 1988, not because she does not want to be in school but because of a dispute between her parents and the York Board of Education. Her parents want Becky, who is multiply disabled, to be in an integrated setting. The board wants her to be in a segregated setting with other multiply disabled children, many of them with worse disabilities than her own.

The local identification and placement review committee hearing, as is not unusual in that board's jurisdiction, supported the board. Family members have decided not to appeal, because they felt this would affect their appeal to the Ontario Human Rights Commission. They appealed in July 1988 to the human rights board and have been informed it could still take years to be heard. They have waited six months for a meeting with the Minister of Education (Mr Ward). Four months ago, they were told it would be arranged; now they are told that he does not meet with individuals.

This government still has not brought forward its amendments to Bill 82. These parents and the people of Ontario have a right to know where this government stands on the integration of children so that all kids can get an education which is appropriate to their needs.

PATRICIA STARR

Mr McCague: The name of Ms Patricia Starr has been often in the press recently, usually connected with potentially illegal contributions to politicians. Unfortunately, because of her activities, the National Council of Jewish Women has also found itself in the news.

On behalf of the Ontario Progressive Conservative Party, I want to make it absolutely clear that in no way do we associate Ms Starr with the legitimate, effective and much-needed work being done by the National Council.

The group has almost 100 years of charitable work to its credit, work that has served and continues to serve every sector of our society. The council began the Block Parent program, has a history of supplying housing for the needy and continues to be active in a variety of issues, from caring for the disabled to helping battered women.

It is distressing that Ms Starr took it upon herself to politicize the activities of the council. It has damaged the image of this hard-working group. We will continue to perform our legitimate function in investigating Ms Starr's activities, especially as they relate to the decisions made by this government.

I urge all members to join the PC caucus in publicly stating support for the National Council of Jewish Women. The political involvement and contributions of Ms Starr were made without the approval of the council and in no way should detract from its integrity nor the high regard in which we hold its work.

CARABRAM

Mr Callahan: Once again, I want to invite all members of the Legislature to a reception that is being kindly hosted by the Minister of Citizenship (Mr Phillips) in this building from 5:30 pm until 7:30 pm.

I invite members down to see some of the dress at the various pavilions that take part in Carabram. Some 17 nationalities of various Canadians who have come from different homelands are represented in our pavilions. The event itself is held in our community on 7, 8 and 9 July. If members attend Brampton during this time, they will be able to savour the sights, sounds and

tastes of 17 different countries without leaving Brampton.

I certainly invite all members to the reception this afternoon and look forward to seeing them there. I would invite them as well to come to our community and celebrate with us. It is a very inexpensive and friendly way of learning more about one another in an atmosphere that will create friendship, community and neighbourliness rather than perhaps some of the stereotyped thoughts that we have about other people.

So I invite members out to Brampton. We look forward to having at least one or two or more members coming out. If they would identify themselves to me when they arrive there, I would be happy to assist them in terms of going around the various pavilions.

SOCIAL ASSISTANCE

Mr Allen: This morning, a complaint of racial discrimination was lodged against the Ministry of Community and Social Services with the Ontario Human Rights Commission.

Ontario's social welfare system discriminates against single mothers who are members of visible minority groups. Regulation 8 of the Family Benefits Policy and Procedural Guidelines permits supervisors to reduce or deny mother's allowance if they are not satisfied that a woman has made sufficient effort to obtain money from other sources.

Two studies indicate the severity of this question. One of them, of 311 single, divorced or separated mothers with dependent children, showed that visible minority women were subject to these reductions six times more often than white women. A second study in another part of Metropolitan Toronto made it obvious that these findings were in fact correct. On average, eight per cent was deducted from the basic needs allowance of white women, while 12 per cent was deducted from minority women.

The minister knew about this a year ago. The results were communicated to him then and on several occasions since. The minister must immediately suspend the discretionary powers of welfare supervisors. He should reimburse all women who have been victimized by this policy. He should establish a committee of clients, ministry officials and the unions that represent the clients and the workers, in order to probe the benefit procedures and to institute the procedural fairness the Social Assistance Review Committee report called for in the first place.

APPRENTICESHIP TRAINING

Mrs Cunningham: The Minister of Skills Development (Mr Curling) left a number of

questions unanswered in a statement he read in this House last Tuesday. The minister criticized the efforts of the federal government with regard to apprenticeship training in Ontario, yet he has done little to address some of the serious problems which plague program delivery in his ministry.

For example, did the the minister tell us that the percentage of women entering nontraditional occupations in the apprenticeship system last year actually declined? No.

Has the Minister of Skills Development altered any of the restrictive apprenticeship ratios which are the cause of skilled labour shortages in 159 occupations in Ontario? No.

Did the minister tell us that administrative costs in his ministry have skyrocketed by over 297 per cent since 1985? No.

Did the minister tell us that 38 per cent of the increases in his ministry's total expenditures are eaten up by administration? No.

Did the minister tell us what he has done with the \$20 million which was not spent on the ministry's Transitions program in the last two years? No, he did not.

I urge the Minister of Skills Development to knock off the fluffy news releases. Criticism is being used as an excuse for inaction. Ontario's future competitiveness is at stake. It is about time the minister and this Liberal government showed some leadership and direction.

1340

DUKE OF EDINBURGH AWARD

Ms Poole: I am delighted to introduce to my colleagues a group of young people from Eglinton riding who received the 1989 Duke of Edinburgh Award. They are here with us today in the members' gallery.

Under the patronage of Prince Philip, the Duke of Edinburgh Award program was initiated in Canada in 1963 in order to challenge young people to strive for their personal best and to nurture qualities of excellence, leadership and ambition. Candidates must show leadership in community volunteer work, skill development, physical recreation and expeditions.

This year, 40 young people from across Ontario received this honour. Out of the 12 Metropolitan Toronto recipients, 10 are from my riding of Eglinton, an outstanding 25 per cent of the recipients province-wide. These young people are a source of pride, not only to their families and their friends but to all of us in Eglinton riding, as their achievements also illustrate a strong sense of community.

Please join me in honouring Donna Lowe, Susan Murdie, Laura Pritzker, Mark Purkis, Greg Purkis, Andrew Casey Taylor, Marjorie Wonham, Carolyn Krawchuk, Heath Priston, Robbie Du Toit, Jennifer Babbs and Sarah Devry. Lieutenant Governor Lincoln Alexander called them "a class act, playing a key role in leading their generation."

Please join me in congratulating these outstanding young people and wishing them the very best for continued success.

CONSTRUCTION D'UNE NOUVELLE ÉCOLE

M. R. F. Johnston: Je prends la parole aujourd'hui pour appuyer les efforts des parents de l'école Jeanne-Sauvé, située dans la région d'Ottawa-Carleton. Ils ont demandé que le ministre de l'Éducation (M. Ward) devance la date d'octroi des fonds nécessaires pour permettre que la construction de l'école soit achevée en septembre 1990.

Actuellement, il existe seulement un amalgame de: cinq salles de classe; une petite salle d'activités; un coin pour le personnel et six salles de classe pré-fabriquées. Dans une lettre du 10 juin, les parents disent: « On ne peut qualifier cela d'école.

« En septembre prochain, plus de 250 élèves, les enseignants et le personnel administratif se partageront les sept toilettes et les trois urinoirs. La santé et l'hygiène de nos enfants sont en jeu. »

Ils ont besoin de cette construction. Ces délais ne sont pas prévus par le projet de loi 125.

STATEMENT BY THE MINISTRY

CANADIAN OCCUPATIONAL HEALTH AND SAFETY WEEK

SEMAINE CANADIENNE DE LA SANTÉ ET DE LA SÉCURITÉ AU TRAVAIL

Hon Mr Sorbara: As honourable members will know, yesterday marked the beginning of Canadian Occupational Health and Safety Week. It is the aim of Canadian Occupational Health and Safety Week to make us, as a nation, even more conscious and aware of the vital need for sound occupational health and safety programs in our workplaces.

Throughout the week there will be organized campaigns under way across the country to increase this awareness among employees, employers, the general public and the news media.

Now in its fourth year, this annual event is spearheaded by the Canadian Society of Safety

Engineering, with support from organizations such as the Canadian Safety Council, the Canadian Standards Association and the Canadian Centre for Occupational Health and Safety.

Maintenant à sa quatrième année d'existence, cet événement annuel sera parrainé par la Société canadienne de la santé et de la sécurité au travail, avec l'appui d'organisations telles que le Conseil canadien de la sécurité, l'Association canadienne de normalisation et le Centre canadien d'hygiène et de sécurité au travail.

On behalf of workers across Ontario, I would like to commend these organizations for the initiatives that they have taken to promote this kind of national awareness of a vitally important matter.

I am particularly encouraged by this year's campaign theme, which is "Safety takes teamwork." As honourable members know, teamwork, that is, partnership, in managing risks in the workplace is really the fundamental principle that lies at the heart of Ontario's occupational health and safety system.

It is the principle that the government intends to enhance and strengthen through Bill 208, the series of amendments to the Occupational Health and Safety Act now before this assembly.

I know that all members of this assembly will join me in urging employers and employees across Ontario to lend their wholehearted support to the spirit and intent of Canadian Occupational Health and Safety Week.

Je suis certain que tous les députés de cette Assemblée se joindront à moi pour presser les employeurs et les employés de l'Ontario de prêter un appui sans réserve à l'esprit et au dessein de la Semaine canadienne de la santé et de la sécurité au travail.

Indeed, it is my sincere hope that the workplace parties will be encouraged to make every week occupational health and safety week in Ontario.

Just before I end, I would like to take this opportunity to introduce John Irwin, who is in the members' gallery with us today. Mr Irwin is chairman of the Ontario steering committee for Canadian Occupational Health and Safety Week.

RESPONSES

CANADIAN OCCUPATIONAL HEALTH AND SAFETY WEEK

Mr Mackenzie: We encourage the acknowledgement of an occupational health and safety week in Ontario, but I have to say to the minister that his support of an occupational health and safety week in Ontario would carry a little more

credibility if what we were doing in this House now was debating Bill 208, the safety and health legislation which has something to offer workers in Ontario, instead of the hours we are spending on a bill that is really going to hurt the workers in this province. I am talking about Bill 162 and the deeming and the lack of rehabilitation and the number of negative aspects of that particular piece of legislation.

The minister should understand that his priorities seem to be a little skewed as far as workers and the health and safety of workers are concerned, and that, as I said, were we debating a constructive bill rather than a negative bill in this House, it would make a heck of a lot more sense.

The other thing that is obvious from the reports coming in around the province is that there is still work needed in terms of enforcement in the safety and health field and of the information being available under the workplace hazardous materials information system legislation for workers in many of the plants, mines and operations in Ontario. So while we do support Canadian Occupational Health and Safety Week, it is a funny way the minister has sometimes of showing his priorities.

Mr Brandt: I am pleased to respond on behalf of our party to the week that has been chosen by the minister to celebrate the need for, and also to identify, I think, the very purpose behind health and safety legislation in Ontario. I think the minister would agree with me and all members of this House that when one worker on average per day dies in this province, it is incumbent on all of us to highlight the need for adequate and very stringent health and safety legislation that will control the workplace and bring a safer environment to all workers who may be exposed to dangerous conditions.

I would like to say as well to the minister that I am sure he is aware that in many areas of work endeavour in this province there are industries and sections of the workforce that are working extremely safely. I think it is fair to say to the minister that in my own jurisdiction, in my own constituency, the chemical industry, as an example, has had a long history of being one of the leading industry sectors for having a safe working environment.

I think it should be pointed out that through their health and safety committees, through the training that those workers receive and through a long-standing commitment, I might add, to health and safety, many of those industries have had literally millions of hours of safe working conditions with no injuries whatever, no loss of

life, which I think can be used as a model—I say this to the minister by way of suggestion—in many parts of this province.

There are things we can do that I feel confident will improve the health and safety of workers if we work co-operatively with industry, with the labour movement and with workers who are exposed to these conditions, and if we work to improve on the conditions for the safety of all workers in the province.

We join with the minister, congratulating him on naming this week as an important week, and hope this highlights in a very real sense the importance of maintaining adequate health and safety legislation throughout the province.

1350

ORAL QUESTIONS

PATRICIA STARR

Mr B. Rae: In the absence again today of the Premier (Mr Peterson), who once again is out of the province on, I am sure, a very important national campaign, I would like to ask a question of the Minister of Culture and Communications.

The minister will no doubt have seen, or if she has not, I am sure she can avail herself of a copy of schedule B of the document titled Appendix I, National Council of Jewish Women of Canada, Toronto Section, Charitable Foundation, Details of the Capital Bank Account to June 30, 1988, which confirms that on 26 October 1987, Mrs Pleasant Oddie was sent a cheque for a housing survey in Hamilton for some \$5,000.

The origins of this cheque or this relationship between Mrs Oddie and the capital account have been spoken to by the minister, but I wonder if the minister can explain how it is that of all the hundreds of volunteer members of the National Council of Jewish Women of Canada who are involved in voluntary activities of all kinds, including mailings of all sorts—

The Speaker: The question?

Mr B. Rae: —none of them was asked to perform this particular work by Mrs Starr.

Hon Ms Oddie Munro: I am afraid I cannot speak on behalf of Mrs Starr.

Mr B. Rae: The minister is in fact the person who gave Mrs Starr the name of her own mother as the recipient of this particular benefit. It is a benefit that is worth \$5,000. The same year in which the benefit was paid, Mrs Oddie and Mr Oddie gave the minister a far larger contribution to her campaign than was ever given by them, according to any records we have been able to search, and that is the origin of the contract.

None of this is very pleasant, but the minister is responsible for this. I want to ask the minister very directly if she can explain why a capital account of the charity is spending \$5,000 in payments to the minister for a survey that has never been made publicly available, and I want to ask the minister if she would not now rethink her statements of several days and at least recognize that in her dealings with Mrs Starr—

The Speaker: Thank you.

Mr B. Rae:—she behaved improperly and that a solicitation of this particular contract for her own relative was in fact wrong.

The Speaker: Order.

Hon Ms Oddie Munro: First of all, I am not aware of schedule B, appendix I, or any of the items he has discussed, nor was I aware of the existence of a capital fund for the National Council of Jewish Women. That is the allegation that is contained in the newspaper. I am not a recipient of the Goodman and Goodman report or any of the other information that also proves to be a source of allegations.

Second, I did not solicit a contract for my mother—I have made that quite clear—nor did I refer my mother, nor do I consider that I have referred her as a recipient of a benefit.

Mr B. Rae: The minister has admitted she recommended her mother for this work. She has admitted she gave Mrs Starr her mother's phone number. Her ministry has a major relationship with Mrs Starr. Mrs Starr was the recipient at one time of the gold medal of the Ministry of Citizenship and Culture.

The minister knows this. She has been involved with Mrs Starr for a long time. She has spoken at dinners for Mrs Starr and said how wonderful a person she thinks she is and how highly she thinks of Patti Starr. Patti Starr sends her mother a cheque for \$5,000 for doing work that in any other organization would be done by volunteers and that in this organization is always done by volunteers. Does the minister not recognize that she has behaved improperly?

Hon Ms Oddie Munro: As I have mentioned several times in this House and outside the House, I received an inquiry from Mrs Starr as to people who might be able to do a particular kind of work. When I asked what kind of work, it appeared to be the mailing of a survey. I indicated there were several people I knew who could perform the job in Hamilton. I referred my mother and gave her the telephone number.

I do not believe, from that point of view, that I had anything at all to do with referring a contract.

“The contract” is in fact the honourable member's terminology. As far as volunteer activities for the National Council of Jewish Women are concerned, I am sorry; I cannot speak on its behalf. All I can say is that the relationship with NCJW and my ministry has been a long and profitable one.

Mr B. Rae: “Profitable” is the word.

Hon Ms Oddie Munro: I am sorry. I have the floor and I am making the answer. I believe the National Council of Jewish Women is a well-respected organization. I respect it, and as I have said before in the House, I have not intervened in any contract that was awarded to the National Council of Jewish Women, nor has it asked for any intervention.

I am confident that all the checks and balances in the ministry are there to allow me to be a responsible and competent minister.

The Speaker: Thank you.

Hon Ms Oddie Munro: Again, getting back to the member's first question, I cannot answer why volunteer activities—

The Speaker: Thank you. New question.

Mr B. Rae: I just listened to the minister's answers with disbelief.

Mr B. Rae: I have a question to the Minister of Tourism and Recreation. The minister received, on 20 March 1989, a very fulsome “Dear Hugh” confidential memo that managed to make its way to the press, in which Mrs Starr, who was the chairman of the board at Ontario Place, told him that “Ontario Place has cut its deficit by just over \$2 million for the fiscal year ending March 31, 1989. We did it. We have done it. We are not going public yet in announcing all the new places that are being opened,” and so on.

One of the reasons they appear to be getting all this money is because the amount of money that flowed to Ontario Place from the private sector has apparently gone up dramatically, including a very substantial contribution from Tridel Corp. I wonder if the minister would not agree that in light of the information that has been made public about Mrs Starr's involvement with the capital account, it might be wise for us to have a very full and complete investigation of all the contracts, tendered and not tendered, at Ontario Place.

Hon Mr O'Neil: I thank the Leader of the Opposition for the question. As of last week, I directed that the Provincial Auditor be asked to go into Ontario Place and do a comprehensive audit of that particular place.

Mr B. Rae: It is amazing, once these things become public, the way the cheques are suddenly

returned, as they were by Mr Chiesa who works for the Minister of Housing (Ms Hošek), and now the auditor is going in.

According to Mrs Starr, Ontario Place is getting between 20 and 25 per cent of gross sales for the three restaurants. Breakers, Blueberry Hill Gourmet Hamburgers, the Westbury Group and Mr Arena apparently are giving a far more substantial share of gross sales to Ontario Place as part of their contract than was ever the case before and than, I understand, is the case and the practice industry-wide across the province.

I wonder if the minister can confirm those figures as a percentage of gross sales and if he can explain why it would be that companies would be agreeing to contracts of this kind, particularly when the contracts, as the minister would know, were never tendered in an open, competitive process.

1400

Hon Mr O'Neil: I know from the facts that have been given to me and by the letter that was sent to me by Mrs Starr that she mentioned that Ontario Place is indeed getting between 20 and 25 per cent of gross sales. Last year and before, we got between seven and 10 per cent. The deal the board of directors from Ontario Place has struck on the new contract is a much better one than the contracts that were dealt with before. It will mean that more of a profit will come to Ontario Place. The operating deficit that was cut last year by approximately \$2 million may be cut even more this coming year because of working out better contracts and getting a better share.

Mr B. Rae: I would like to say something before the Liberal Party joins in a chorus of applause for these things. You may say I know nothing about the way the world works, but people do not give you something for nothing. When people sign a contract and in exchange are giving such a very substantial sum, would the minister not wonder why they would be doing this?

Why is Tridel Corp giving \$25,000 to Ontario Place? The climate of Ontario Place is such that more and more commercial and corporate sponsors are moving in and contributing far more than ever before. Why would they be doing that? One has only to look at the land around Ontario Place and one has only to look at the rumours concerning the future of Ontario Place to know why goodwill of this kind is being bought. I want to ask the minister whether he does not understand that in looking at this whole business.

Hon Mr O'Neil: I would like to tell the Leader of the Opposition that I do understand it. If he

were to look at contracts like this that are being negotiated, in a lot of the places the coming thing is to bring corporate sponsorship into it so the government does not have to pay more. The number of corporate sponsors has indeed increased over the last number of years, likely from contributions of close to \$200,000 or \$300,000 to more than \$1 million this year. Those corporate sponsorships coming in mean that Ontario has to pay a lot less in deficit spending at that place.

Mr Brandt: My question is to the Deputy Premier and it is on the same subject. In the July 1989 edition of *Toronto Life*, it quotes Hershell Ezrin as having phoned Patricia Starr and saying, "We want to run a new kind of government, and we need people like you." I am sure the members are pleased that Hershell made that comment and I know all members of the Liberal Party are pleased to be so closely associated with Ms Starr and her kind of individual.

I might add that up until this point, some nine cabinet ministers have now seen some financial assistance that has come from Ms Starr. In light of the fact that all of this controversy is surrounding this individual, does it not appear to be reasonable that the people of Ontario be informed how Ms Starr was given the appointment—two appointments in fact—by the Ontario government, the final one being the chairmanship of Ontario Place? How did that come to pass and who is responsible for it?

Hon R. F. Nixon: It is not helpful for me to say again to the honourable member that the appointment was done by order in council because he wants to convey to anybody listening that somehow there was a nefarious quid pro quo. All I can tell him is that the government, week by week, makes appointments of a wide variety of importance, some of them equally as important as the chairmanship of Ontario Place. Many of them include people from his own party and from the New Democratic Party, as the honourable member would know. I can assure the member the appointments are made on the basis of perceived merit.

Mr Brandt: Someone would have to recommend Ms Starr to receive an order-in-council recommendation and final approval for that appointment. But let me say to the Deputy Premier that Ms Starr was not some neophyte or newcomer to the world of politics. She knew exactly what she was doing and knew the implications of her political activities. If I might, I would like to read to the Deputy Premier a comment quoting the national vice-president of

the National Council of Jewish Women which states, "The National Council of Jewish Women of Canada shall not endorse any political parties or candidates."

That makes it very clear what the rules of that organization are and it was in Ms Starr's possession prior to the donations she made to some nine cabinet ministers, along with a number of backbenchers in the Deputy Minister's party. So contrary to Ms Starr's assertions, there was no grey area, no area of confusion with respect to what this particular lady was doing.

In light of that, is it not reasonable to ask the Deputy Premier, and is it not expected on the part of the people of Ontario that they should know who in fact recommended this particular individual for that very responsible position as chairman of Ontario Place?

The Speaker: The Deputy Premier.

Mr Brandt: Someone referred that name for approval.

The Speaker: Order. The question has been asked.

Hon R. F. Nixon: I think the honourable member, who has followed the situation involving this matter very carefully in the House and in the media, would know that the Premier has indicated that the public trustee is looking at the whole matter of the disposition of the funds that are controlled by the—is it the National Jewish Women's League?

Hon Mrs Caplan: National Council of Jewish Women.

Hon R. F. Nixon: —National Council of Jewish Women. That matter is before the public trustee. There is also a clear indication from the Attorney General (Mr Scott) in his statement more than a week ago that the Ontario Provincial Police are examining all aspects of it as well.

Mr Brandt: Let me just read into the record that these are the ministers who have received money to date: The Minister of Consumer and Commercial Relations (Mr Wrye); the Minister of Culture and Communications; the Minister of Tourism and Recreation; the Minister of Transportation (Mr Fulton); the Minister of Revenue (Mr Grandmaître); the Minister of Industry, Trade and Technology (Mr Kwinter); the Minister without Portfolio responsible for senior citizens' affairs (Mrs Wilson); the Minister of Skills Development (Mr Curling); the Minister of Health (Mrs Caplan). The Ontario Liberal Party and the Premier himself have all received funds from Ms Starr, funds that, according to a Toronto newspaper, were meant to go to the disabled.

Interjections.

The Speaker: Order.

Mr Brandt: Given that surely it is reasonable to expect that the Deputy Premier would have taken a look at how the appointment of Ms Starr to the chairmanship of Ontario Place actually occurred, who made the recommendation, how was it brought to the attention of cabinet and ultimately approved by an order in council? That is a reasonable question that does not require an OPP—

The Speaker: Order. The questions have been asked.

Hon R. F. Nixon: The honourable member would know by the interjections, which might not have been clearly carried on the microphones, that there were others besides the Liberals that the honourable member mentioned who are also in receipt. I do not for a moment say that has got any relevancy except this: Every one of us, as members of the Legislature, receives donations from a number of sources, and no matter how carefully we examine them, there is nothing the matter with receiving donations from people interested in the democratic process and supporting us as individual candidates.

Mr Brandt: Huh.

Hon R. F. Nixon: Well, that is a fact.

I think the honourable member should be aware, as are all right-thinking citizens, that these donations are listed for all to see with the Commission on Election Finances.

If the donor is going to extract those funds from a source that is improper or illegal, I can assure the honourable member, and perhaps his own experience would verify this, that it is not possible for the recipient to always check that, and I do not believe that is his or her duty. The actual amount of it is there, and this whole matter, since it has become so publicly prominent, and deservedly so, is being examined by the provincial police, the public trustee, the Conflict of Interest Commissioner and the Commission on Election Finances. Surely that is the appropriate way to proceed so the facts will be made public.

Mr Brandt: We have now been made aware of the new line of defence of the Liberal Party as it relates to Ms Starr and how it is going to deal with it.

1410

Mr Brandt: My next question is for the Minister of Tourism and Recreation. Ms Starr is quoted in the Toronto Life article I referred to earlier as receiving some \$160 a month for her

tenure over the two-year period as chairman of Ontario Place, when in fact the amount of money Ms Starr received was \$140 a day plus expenses over that two-year period.

Since this individual was extremely active in a number of areas and probably spent a number of days working diligently, I am sure, at Ontario Place, could the minister give us some indication of the total amount of money earned by Ms Starr over that two-year period, as well as the total amount of expenses paid to her?

Hon Mr O'Neil: As I mentioned, a comprehensive audit is being done by the Provincial Auditor, and it is hoped that all of those details will be brought forward.

I would also mention to the member, not in defence of Mrs Starr, but Mrs Starr did spend a lot of days and a lot of time at Ontario Place, and it is my understanding that she billed very little in either expenses or daily rates for the time she spent there. Those figures are coming to me, but I think what I have been told will be borne out, that she billed very little on a daily rate or in expenses over the almost two years I have been minister while she was there.

Mr Brandt: So that we can be assured that in fact the Provincial Auditor is going to look into all aspects of this particular arrangement, I wonder if it would be reasonable to ask the minister to provide this House with a copy of the letter he sent to the auditor, which will simply outline those details of what he is requesting by way of information from the auditor, presumably under section 17 of the act, which is what he would be required to operate under. Will the minister commit to this House to provide it with that information?

Hon Mr O'Neil: I will even do better than that. I will quote from the letter which was sent. The letter was sent last week to Mr Archer, who is the Provincial Auditor; it was signed by the deputy minister of my ministry on my direction. It reads in part:

"It is felt that at this time a comprehensive audit, including an in-depth review of the corporation's management decision-making processes, would be worth while. In particular, I refer to the board's responsibilities and inputs regarding purchasing processes and contract, management decision-making authorities and overall accountability related to the management of the corporation's operations."

Mr Brandt: Would the minister also advise this House when he became aware of the fact that there were certain tendering practices that were not followed appropriately, particularly relating

to the food operations in the Ontario Place activities? As well, would he indicate to this House what action he took at that particular time, relative to any response to Ms Starr about the inappropriateness of not tendering, or what actions his ministry took in connection with that whole affair? He is now asking questions about it. What did he do when he first became aware of it?

Hon Mr O'Neil: I would mention again to the leader that on this particular thing, all these will be looked into by the Provincial Auditor.

I might also tell him that there was a question asked of me, I believe by the member for Etobicoke-Rexdale (Mr Philip), quite some time ago on this particular tendering.

There are two types of tendering done within the provincial government: One is in written tendering and the other one is on invitational. In the particular case of the restaurants, there were 36 different firms that expressed interest or were invited to present proposals.

Those proposals were put out. Proposals that were received were reviewed by a board subcommittee—not by one person but by a board subcommittee—and presented to the board for final approval. Also, the firm of Laventhol and Horwath was consulted as to certain advice on some of those contracts.

Mr B. Rae: I have a question for the Minister of Housing. In the same Toronto Life article which has been referred to already, the author of the article, Robert Hough, on page 54 refers to Mrs Starr's term with the Metropolitan Toronto Housing Authority and documents the way in which she was an advocate on behalf of the Tridel Corp when she was a member of that board, and how she had leaked confidential board information on the negotiation of a contract to Tridel.

The article also states, Mrs Starr "declined an offer from Housing minister Chaviva Hošek to renew her post." I wonder if the minister can tell us if that is in fact true.

Hon Ms Hošek: There were discussions about how to continue the situation at the Metro Toronto Housing Authority, and I did not offer Mrs Starr a renewal of her post.

Mr B. Rae: Further to that question, in the information that again appeared in the media with respect to the activities of the capital account, the capital account shows that on 9 November 1988, members of the Minister of Housing's staff apparently had a dinner with somebody, maybe with Mrs Starr, at the House of Chan for \$298.30. Then just a couple of weeks later on 20 December 1988, there was another

dinner with members of the Housing minister's staff where the dinner cost \$521.

The minister must have been aware of these expenditures since they are now being widely distributed. I wonder if the minister can explain those two particular expenditures.

Hon Ms Hošek: I am glad to answer the question, though I would like to remind everyone that having dinner with someone is not a crime and that is a good thing because some of us have had dinner with each other. I personally have had dinner with some members opposite.

Because this matter was raised about 9 November and 20 December, to the Leader of the Opposition (Mr B. Rae), we did indeed check with both my own personal staff and senior officials corporately in our ministry and at the central regional office because this matter was raised in the newspaper. No members of my personal staff or senior members of the ministry or the central regional housing office had dinner with Ms Starr on those dates. I can only conclude there was some inaccurate accounting.

Mr Harris: I would like to go back to the very same question to just clarify whether the minister is telling us today that whoever paid for those dinners, nobody from her staff or the Housing ministry staff attended those two lunches or a lunch and a dinner and, in fact, whatever they were, they had absolutely nothing to do with the minister and they had nothing to do with the minister's staff or the Ministry of Housing staff.

Hon Ms Hošek: Let me make that clear again to the member. When I read this in the paper, of course, I asked my staff to check. The dates are 9 November and 20 December. No members of my personal staff and no senior member of the ministry, either at the ministry or at the central regional housing programs office, attended dinner with Ms Starr on those dates.

Mr Harris: I am not sure whether we are into a technicality here or not. I would have a supplementary. The minister has said "on those dates," and I guess we are concerned—

Hon Mr Bradley: You've never been stuck on technicalities before. Now you want to be sticky.

Mr Harris: I will tell the member why we are sticky. The minister gives Dino Chiesa, who got \$10,000 from Patti Starr, a \$250,000 contract without tender. She hires another very dear friend of Patti Starr as an adviser, without advertisement. The very dear friend's wife is hired at Ontario Place, run by Patti Starr. Patti Starr pays \$3,500 to the minister's parliamentary assistant's campaign manager, a former Housing

ministry appointee. Patti Starr proceeds to divert housing money to the political coffers of practically every Liberal that walked the face of the earth.

I would ask the minister, has the minister's staff or have senior Housing people ever attended lunch or dinner with Ms Starr and, if they have, what was discussed?

Hon Ms Hošek: The question that was asked was that here were these dinners that were paid for out of the charitable fund of the National Council of Jewish Women, right? Those were the dates that were asked about and those were the issues. I checked—

Mr Harris: I did not ask about those two dates.

Hon Ms Hošek: Yes, the member did. The member just asked me that question. If he will allow me to answer, I would be delighted to do so.

We checked to see if any member of my staff or any member of the ministry had dinner with Ms Starr on those dates and the answer is no. I do not know who has ever had dinner with whom in my ministry over the past God knows how many years. But people do discuss issues and do have dinner with each other. The issue is whether the charitable foundation paid for dinner with members of my staff and the answer is no, that is not the case.

1420

HERITAGE CELEBRATIONS

Mr Dietsch: My question is to the Minister of Culture and Communications. The minister will be aware that in 1792, Niagara-on-the-Lake, then known as Newark, was the first capital of Upper Canada. In 1992, Niagara-on-the-Lake will be celebrating the 200th anniversary of the first sitting of the Legislature of Upper Canada. At present, there is in place a citizens' committee which is planning for the celebrations.

What opportunities, assistance and involvement can communities such as Niagara-on-the-Lake expect surrounding these types of heritage events, and to whom should their proposals be directed?

Hon Ms Oddie Munro: Previously, members of the Legislature have asked questions related to what we refer to as the heritage years or the anniversary celebrations in this province. I have indicated that we are taking a document through various committees of cabinet to get a suggestion on how local communities in the province can participate and celebrate. All of those details will

be released to the House as soon as the alternatives are deliberated upon.

In answer to the question specifically about Niagara-on-the-Lake, I have had an opportunity to visit and to meet with many members of the local architectural conservation advisory committee, and I am delighted to see that it has a citizens' group. I would suggest as a move at the moment that they approach members of our regional office of the Ministry of Culture and Communications and ask for information on grants for local celebrations that would be available through the heritage branch or through the Ontario Heritage Foundation.

Mr Dietsch: Ceremonies such as the one planned at Niagara-on-the-Lake often take quite a period of time in advance preparation. I would like to know when we can expect the government's plans for the celebration of heritage year to be announced.

Hon Ms Oddie Munro: Obviously there is so much interest in the whole aspect and the parameters of the celebration of heritage years, indeed not only from our province but as the events unfold across the country, that we are taking a look at at least three particular years during which we might have a celebration.

As I said, I am taking the issue through various cabinet committees and as soon as I have the information, I will let the members know. I should just say to the assembly that each member of the Legislative Assembly will have a role to play in making sure that local communities do celebrate.

PATRICIA STARR

Mr Kormos: I have a question of the Minister of Housing. Her parliamentary assistant, the member for York Mills (Mr J. B. Nixon), referred his campaign manager to Patricia Starr and suggested that he might be rewarded for his work as campaign manager on the member's campaign in 1987.

Indeed, the campaign manager himself says that he was paid \$3,500 by Patricia Starr and the National Council of Jewish Women for helping the member for York Mills get elected. As I said, he indicated that it was a reward for his work and that he did not have to do any other work for it. He was careful not to accept that money until a few days after the election date, because he did not want it to be perceived as a political contribution.

I am wondering whether the minister has spoken with her parliamentary assistant, and whether she has indeed advised him whether or

not she thinks it is appropriate for him to recommend that his campaign manager receive funds that were contributed to a charity and that were designed for charitable uses and not to piece off or grease Liberal campaign managers.

Hon Ms Hošek: The member opposite knows that this question has nothing to do with me or with my ministry or with the role of the parliamentary assistant to the Minister of Housing in his role as parliamentary assistant to my ministry.

Mr Kormos: I guess this lends a new meaning to "charity begins at home." The campaign manager says about the National Council of Jewish Women: "I thought they were sort of like a political action committee." I guess so. Simply, the fact is that the minister's parliamentary assistant referred his campaign manager for some grease, for some payola. Does the minister approve of that? Does she think that is all right?

Hon Ms Hošek: I think the characterization of this matter is an allegation which the member is making. Clearly, the Commission on Election Finances is looking at all these questions, is going to get all the information and is going to give that information to us. I prefer to wait until that information is available before I decide so easily to characterize it.

Mr J. B. Nixon: On a point of order, Mr Speaker: I would ask you to suggest to the member for Welland-Thorold (Mr Kormos) that he consider his language in the House and perhaps be a little more careful with the innuendo he drapes about himself.

Interjections.

The Speaker: Order.

Mr Kormos: Where I come from, they call that grease; they call that a payoff; they call that—

The Speaker: Order. Perhaps—

Interjections.

The Speaker: Order. I wish all members would show just a little more respect.

Mr Harris: To the Minister of Housing: The minister says that none of this has anything to do with her in her role as Minister of Housing. I suggest to her that a huge amount of public money that was supposed to be used to build or subsidize housing in Ontario, over which I thought she had some control, for the disabled, the elderly and for the poor was in fact diverted by a Liberal fund-raiser into a slush fund.

Can the minister tell us how money earmarked for housing, money for which she is responsible and over which she has control, found its way

into the political coffers? How could that possibly happen? What measures is she taking to make sure it does not happen again?

Hon Ms Hošek: Indeed, I am extremely pleased to be asked that question so I can answer it for the benefit of the member and the other people in the House. What the member is referring to is a nonprofit housing project which was approved in 1985. As the member knows very well, I was not a member of this House at the time. I want to say also, clearly—

Mr Jackson: Dino was working for CMHC. Don't forget that part. He was working for CMHC. I know Dino. I know what is going on.

Hon Ms Hošek: I assume the member for Burlington South (Mr Jackson) is interested in the answer to this question, so let him listen to it.

This project was approved in 1985. It was funded completely by the federal government under the Canada Mortgage and Housing Corp. The province played no role in its construction or in its management, but let me tell the member the rest of the information, because everyone in the House is entitled to have it.

There was a sales tax refund given to this building because it was built by a charitable foundation. That sales tax refund is directly related to the cost of the construction of the building, which was and is the responsibility of CMHC and which is therefore responsible for looking into this matter and seeing if anything went wrong.

As Minister of Housing of Ontario, I have written to CMHC and basically said: "Look, there is a question here. Would you please take a look at your records and management of this project to see if there was an inappropriate use of this sales tax refund in relation to your standards for the management and construction of the building which you, as the federal government, supported and built?" That is the story.

Mr Harris: The Minister of Housing has made announcement after announcement after announcement that involves CMHC money. She is glad to take credit for all these projects when they are built.

What we want to know is, when they are friends of the minister's, when they are close associates of hers, when the money is provincial sales tax money earmarked for housing the disabled and the poor, what controls does the minister have to make sure money goes where it is supposed to go?

In particular, when we are dealing with money, \$3,500 of this was used to pay her parliamentary assistant's campaign manager—

who, incidentally, was also the campaign manager for the brother of the Premier—and \$800 was apparently used to pay dinners for the minister's staff, although she has said it was not used on the two dates in there.

The minister knows money has been improperly used, provincial money from a sales tax rebate. She is the Minister of Housing. What is she, with her friends, doing to make sure that this money is indeed spent where it is supposed to be spent: to subsidize housing—

The Speaker: Order. The question has been asked.

1430

Hon Ms Hošek: I am delighted to answer that question and to make everything clear. The member opposite knows that some of the nonprofit housing that we build, we build jointly with the federal government and, when we do, we are both happy to take credit for it because we are both proud of it. I go to many nonprofit housing openings at which there is a federal representative present because the project was built jointly by the federal government and the provincial government.

The member also knows that we in the province are building on our own as a provincial government. It is also true that in the past the federal government has built nonprofit housing entirely on its own. The project we are talking about was built by the federal government on its own. The responsibility for managing it, managing the construction and dealing with the question of the sales tax refund is theirs. I have written to them to say, "Please tell me, according to your standards, what is the appropriate use of the sales tax refund here."

I will tell the member what we do in this matter when it is our building and when we have a role to play in it. When we have a role to play in a project like this one, we have a standard that says any rebate, refund or saving of money which is applied to the project is to be taken out of the mortgage cost and the cost of construction and is to be applied to the benefit of the project and the tenants who live in it. That is how we conduct our business. I assume—

The Speaker: Order. That seems like quite a comprehensive response.

PREScription DRUGS

Mr Owen: I have a question for the Minister of Health. For some time there has been concern involving seniors about the overuse and the inappropriate use of prescription drugs in Ontario. I know that statistics have come out showing

that drug reactions and drug interactions have been implicated in a very high and significant percentage of admissions to hospitals for seniors. I know the minister has been concerned about this and I would ask that we be updated as to what the ministry has been able to do about this problem and exactly where we are going with this problem.

Hon Mrs Caplan: I would also like to acknowledge this member's interest in what I consider to be a very significant and important issue in this province: drug misuse, particularly by those participating in the Ontario drug benefit plan. Because of my concern and those that were raised by the Goldberg study on prescription drug use in this province, I established the Lowy drug inquiry. That inquiry has made a number of interim reports and, as members would know, we have already begun to act on reform of the special authorization program as recommended.

Just last Friday, the inquiry released its third report and recommended what is called drug utilization review. The purpose is to cut down on the misuse of drugs and ultimately, in my opinion and theirs, to save lives so that we know those people receiving drugs through the Ontario drug benefit program will have their health improved and have the very best therapeutic results.

I want to tell the member and all members of the House that the ministry is moving to develop drug utilization review capability so that we can do our part in ensuring the very best possible results for the government's drug benefit plan.

Mr Owen: I still meet doctors, some of whom are unaware of this problem. I still meet seniors who are unaware of the significant size of this problem. I rarely meet pharmacists who are unaware. The various ministers of the government send out literature to all sorts of people, including senior citizens. I wonder if there is something the ministry can do to address the problem of communicating the dangers and the risks that are involved, more significantly to seniors.

Hon Mrs Caplan: I would like to point out that the question the member raises is a significant challenge for the ministry. He has heard me say on numerous occasions that we all have a role—the consumer, the provider of care and the professional. When you talk about the Ontario drug benefit program, not only do physicians need to have information, pharmacists need to have information and the consumer, the patient taking the drugs, needs to have information.

Within the ministry, we are looking at how we can meet this challenge. As the member knows, we have our healthy lifestyles campaign. We are distributing cholesterol information to both physicians and to consumers about appropriate testing. We have released our Deciding the Future document so that we can begin public discussions in a number of communities across the province, because we believe, and if the member expects people to have the information to help them to stay well and to be well, we must find a way of giving them that information so that in fact they can be informed consumers.

FOREST SPRAYING PROGRAM

Mrs Grier: My question is for the Minister of Natural Resources. As we come to the season where the Ministry of Natural Resources will be authorizing the spraying of Ontario forests to control insect pests, can the minister indicate to the House whether or not he still supports his ministry's program of using the biological insecticide Bt, and only Bt, and whether the ministry will be continuing the use of this nonchemical insecticide?

Hon Mr Kerrio: *Bacillus thuringiensis*, of course, is one of the things we have used over the last few years to spray our forests. It is not nearly as effective as some other sprays, but we took the initiative, along with the Ministry of the Environment, to make absolutely certain that we would go in that direction. I can share with the member that as far as the spraying is concerned, that has been the policy of this government and it will continue to be.

Mrs Grier: The minister makes the comment that it is not nearly as effective. I wonder if the minister could tell the House what studies he has done since the beginning of the use of Bt and what the results have been, and whether he could make those studies available.

Hon Mr Kerrio: In keeping with the description to the member about how effective it is, when you feed them the *bacillus thuringiensis* they have to eat it and ingest it before it is effective. The reason I made the comment was that in some cases where there might be an infestation where the little beasts are not eating at that time, it is not effective, so we might have to spray two or three times to handle the insects under those conditions.

We have been willing to pay that price where we have to spray two or three times to control the infestation, and that is one of the reasons why I said that in some cases it is not as effective. I shared with one of the members of the New

Democratic Party caucus one time that the other materials we were using were sprayed on our apples eight or 10 times. It shows how safe it is, but we are still prepared to go on with the current policy of this government to continue to spray with Bt.

KINDERGARTEN

Mr Jackson: My question is to the Minister of Education. In the April throne speech, his government promised mandatory junior kindergarten programs across Ontario. If I may, I would like to quote one statement by the Treasurer (Mr R. F. Nixon) in the 17 May budget. He said: "Once fully implemented, up to \$194 million per year in operating grants will be made available by the province. In addition, \$100 million will be available for related capital projects."

Will the minister briefly explain to this House what specific factors were used in order to arrive at those dollar figures that were so specifically quoted in the budget?

Hon Mr Ward: The member will realize that fully 80 per cent of the boards in this province currently do offer junior kindergarten programs. Those programs are eligible for general legislative grants. It is estimated that some 50,000 students, however, do not have access to programs in those communities that do not currently offer junior kindergarten. We were able to make some calculations as to the instructional cost and from that arrive at an estimation of the additional grant dollars that would be required for province-wide implementation.

Mr Jackson: On 4 May, just immediately following the throne speech and prior to the budget, I tabled six very basic questions to the ministry in Orders and Notices requesting such information as—to quote directly from the order paper—"a list of all half-day junior kindergarten programs" and "a list of all full-day senior kindergarten programs." The minister's response to both those basic questions was that he did not have the information.

I further went on and asked him if he could indicate a list of the available classrooms presently not occupied for half-day and full-day periods of junior kindergarten programs. Again he indicated he did not have that information.

How can the minister suggest, whether in the House today or through the budget of the Treasurer, he has costed out this program? Does the minister have this information or is he just unwilling to share the details with members of the House? I feel I have a right to ask an Orders

and Notices question to get that information accurately.

The Speaker: Thank you. That sounds like a fairly full question.

1440

Hon Mr Ward: As I indicated in my original response, the calculation was based on a ministry estimate on a board-by-board basis.

Mr Jackson: My question is, if you have the information, why don't you answer the order paper question?

Hon Mr Ward: The member will know, if he will listen instead of going on and on—

Mr Jackson: If he has the answer, why doesn't he put it in the order paper?

Hon Mr Ward: If the member does not want the answer—

Mr Jackson: How many chances do you want?

The Speaker: Order.

Hon Mr Ward: The member's request was on a school-by-school basis. I have to say to the member that on a school-by-school basis, as opposed to a board-by-board basis, we do not have that kind of data. We are in the process of assembling it for him so he can go through the list on a school-by-school basis province-wide. I understand the material will be made available to him at some point this week.

DAIRY INDUSTRY

Mr Kozyra: My question is for the Minister of Agriculture and Food. There are 75 dairy farms in the Thunder Bay region with over 100 families involved in these operations.

Plans are well under way for an industrial milk plant in northwestern Ontario in the next two years, but now all of this seems to be in jeopardy because of an interim General Agreement on Tariffs and Trade agreement which the federal government signed on 7 April. The call for a capping on the price of industrial milk is seen as the same serious threat that has damaged the Canadian wine and grape growing industry.

This decision, to which our federal government has so readily agreed, attacks one of the fundamental principles inherent in a properly functioning supply management system. Where does Ontario stand with respect to the Canadian milk supply management program and the GATT agreement as it affects Thunder Bay and Ontario?

Hon Mr Riddell: I have certainly made my views known to the dairy and the poultry sectors. I have reassured them that my commitment to the

effective operation of supply management remains very firm, and I have passed that message on to my friends in Ottawa. However, there are mixed messages coming out of Ottawa and it is certainly leading to the uncertainty of the federal government's commitment to supply management.

As I stated before in the House, I am worried about the lack of balance in Canada's commitment to the GATT undertaking. I believe that our dairy sector is being asked to absorb an unequal proportion of the burden of the commitment. Once again, I have passed that information on to my federal counterpart. The farmers in this province can be assured that my commitment is very, very firm as far as supply management systems are concerned.

Mr Kozyra: I am wondering if the minister could be a little more specific on what actions Ontario is prepared to take to assert its provincial rights in this regard and assure dairy farmers in the Thunder Bay region that their very real concerns will be addressed.

Hon Mr Riddell: My honourable colleague has asked a question that is certainly troubling many Ontario farmers. I want to reassure him and these producers throughout Ontario that I have not been asked to restrict any pricing of farm products within Ontario. I have been asked to continue my support for the federal government's efforts to achieve long-term trade liberalization, which I will endeavour to do.

However, as I stated publicly, the authority for the pricing of farm products such as milk is delegated to the responsible provincial marketing board. These boards have acted and will continue to act responsibly. I cannot see any trade impact, favourable or unfavourable, restricting their powers in this area. Therefore, I will not intervene in the pricing decisions of these boards in response to the April 1989 GATT undertakings.

PLANT CLOSURE

Mr Mackenzie: I have a question of the Minister of Labour. Can the minister tell us what his government is doing to stop the accelerating sellout of Canadian workers' jobs so clearly outlined yet again this weekend with the loss of another 400 jobs in the town of Collingwood, where Bendix Safety Restraint Ltd has told 400 workers that their jobs are going 60 per cent to Mexico and a number of the remaining jobs to the United States?

Hon Mr Sorbara: It will probably be no consolation at all to those workers in Colling-

wood, other workers such as Inglis workers and a number of others around the province, that as a province in every year over the past four years we have increased employment; that is, the net results after you look at jobs that were lost and jobs that were created put us on the plus side. I want to make it perfectly clear that this is not a consolation. Nor is it a consolation to those workers to say to them that some of this industrial restructuring we are seeing in Ontario and throughout Canada arises directly out of the free trade agreement and we are seeing some of the shifts now.

It was of interest to read in the weekend papers, for example, that gross domestic product predicted by the federal government for the first year of the free trade agreement is less than gross domestic product for this nation for the last year we were operating in this country without a free trade agreement. One wonders where the benefits are.

Just to answer his question as to what we are doing in Ontario, I want to tell the member that we are looking at a number of initiatives in terms of training, through my colleague the Minister of Skills Development (Mr Curling), a number of issues within our own purview in the Employment Standards Act, and a number of initiatives including POWA, the program for older worker adjustment, which is a partnership with the federal government.

Mr Mackenzie: I am glad the Minister of Labour mentioned the free trade deal, because I feel obliged to remind him that if there was ever a collapse on the bottom line we got during the election campaign from the Premier (Mr Peterson) of this province, it was from his party.

Does the minister not understand that the loss of jobs of the 400 workers in this plant, mostly women, who were making about \$10.50 an hour plus a decent benefit package, which is also covering in many case their husbands who lost their jobs at the shipyard in that town, is going to have very devastating effects on this town? Can the minister tell us what specifically he is prepared to do to take a look at issues like content legislation, without which we are not going to keep the decent-paying industrial jobs in Ontario?

Hon Mr Sorbara: I sincerely hope my friend the member for Hamilton East does not want to review the performances of the various national and provincial leaders during the election campaign leading up to the election of 21 November 1988, but if he does, I just want to tell him that none of us who were opposing that agreement at

that time could have been any prouder of the work our Premier did in this province and elsewhere campaigning against that agreement. I think his record compares favourably with any other politician who took a position during that time, and most of us did.

But all that is history now. My friend the member for Hamilton East is right. We need, not only in this province but in this nation, more effective programs to ensure that issues relating to labour adjustment, particularly in this period of time when we are undergoing very rapid transitions, are put into place nationally and provincially. This is not simply a provincial issue. It is an issue that confronts Canada as a nation, and we have an obligation together, between the federal government and the provinces, to confront it.

TORONTO AREA TRANSPORTATION

Mr Cureatz: I have a question to the Minister of Transportation. Does the minister think it is fair that residents on the extreme portions of the newly announced greater Toronto area, GTA, will be paying the same kind of tax, for instance, for a driver's licence or for car licences, yet will not be receiving the same kind of benefits?

For instance, out in the town of Newcastle in the far eastern end of the region of Durham, we will not have the effects of the expansion of the GO rail system, which will be stopping in Oshawa; nor will we have the benefits of the widening of Highway 401, which will stop at Pickering. I have suggested it should continue on to Highway 115-35.

1450

Hon Mr Fulton: Clearly, the people who live in Durham will benefit greatly by the announcement of the extension of GO services. They will benefit greatly by the Highway 401 expansion which, the member may not be aware, is in the planning stages to proceed on to Oshawa.

Clearly, the member would be aware of the substantial increase in funding and the acceleration of the contract to expand Highway 115-35 which, I recall, runs right through his riding, as well as other improvements in the area on Highway 28 and Highway 7 and other very substantial works by this ministry within the entire region he represents.

VISITORS

Hon Mrs Caplan: Mr Speaker: I would just like, if I could, with the consent of the House, to acknowledge today the presence in the gallery of a number of representatives from the Ontario

Nurses' Association. I thought there might have been a question during question period and was looking forward to an opportunity to talk about progress we are making.

PETITIONS

NATUROPATHY

Mr McLean: I have a petition signed by 166 people. It reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas it is my constitutional right to have available and to choose the health care system of my preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

The Speaker: The member for Scarborough West was trying to get up there.

METROPOLITAN TORONTO SCHOOL BOARD

Mr R. F. Johnston: Thank you. It is always tough at the end of the day.

I have 1,000 signatures on a petition concerning what is called the fiscal irresponsibility of the Metropolitan Toronto trustees, saying:

"Our children's education is being threatened by their squandering of taxpayers' money on high salaries, expense accounts and glamorous work holidays. School taxes must go to the schools first and the board of education's pockets last. We need smaller class sizes, more resources and better-maintained schools now."

I have affixed my signature.

TEACHERS' SUPERANNUATION

Mr Tatham: "To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"Whereas the government of Ontario in its discussions with the Ontario Teachers' Federation on amendments to the Teachers' Superannuation Act has refused to allow an equal partnership between teachers and government in management of the pension fund, establishment of an acceptable contribution increase, benefit adjustments, equitable treatment of future surpluses and a satisfactory dispute resolution process,

"We, the undersigned, petition the Legislative Assembly to insist that the Treasurer of Ontario negotiate with the Ontario Teachers' Federation towards an equitable settlement."

It is signed by 50 names and by yours truly.

SECURITY IN PREMISES USED BY PUBLIC

Miss Roberts: I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario. It is a petition dealing with Bill 149, An Act to amend the Trespass to Property Act, and it is against that bill.

The petition indicates that if they wish it to be submitted to the Legislature, it should be sent to the Ontario Progressive Conservative Party, but it was sent to my office instead. I am very pleased to present it. It is signed by two of my constituents, and I have signed it as well pursuant to the rules.

NATUROPATHY

Ms Poole: The petition I have is signed by 101 people.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas it is my constitutional right to have available and to choose the health care system of my preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

Pursuant to the rules, I have signed it.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon Mr Conway moved that the member for York Mills (Mr J. B. Nixon), the member for Muskoka-Georgian Bay (Mr Black), the member for Chatham-Kent (Mr Bossy) and the member for Durham Centre (Mr Furlong) exchange places respectively in the order of precedence for private members' public business.

Motion agreed to.

INTRODUCTION OF BILL

DISTRICT MUNICIPALITY OF MUSKOKA STATUTE LAW AMENDMENT ACT, 1989

Hon Mr Eakins moved first reading of Bill 34, An Act to amend the District Municipality of Muskoka Act and the Education Act.

Motion agreed to.

The Speaker: Does the minister have an explanation?

Hon Mr Eakins: This legislation is in response to a request by the council of the district municipality of Muskoka. It will simplify the current property tax system in the district by allowing the district municipality and each school board to establish a common residential and a common commercial mill rate to be applied throughout the district area. It will also permit the Minister of Revenue (Mr Grandmaître) to undertake a reassessment of all properties throughout the district every four years to maintain property tax assessments equivalent to current market values.

ORDERS OF THE DAY

THIRD READINGS

The following bills were given third reading on motion:

Bill 187, An Act to amend certain Acts as they relate to Police and Sheriffs.

Bill 189, An Act to amend the Provincial Offences Act and the Highway Traffic Act.

Bill 200, An Act to confirm a certain Agreement between the Governments of Canada and Ontario.

Bill 205, An Act to amend the Amusement Devices Act, 1986.

1500

ELEVATING DEVICES AMENDMENT ACT, 1989

Hon Mr Wrye moved third reading of Bill 206, An Act to amend the Elevating Devices Act.

Mr Runciman: I would like to make one brief comment, if I may. I am not sure this falls within the area of elevating devices, but I know during the second reading debate I mentioned concerns about the joyriding aspects in respect to elevator operations.

A couple of serious accidents have occurred, not related to joyriding, specifically in the Ottawa area in very similar circumstances and both were very tragic indeed. One involved a young girl and another a retired visitor from England. I simply want to place my concern and my party's concern on the record. These are very peculiar incidents indeed and I am not sure whether they draw attention to any weaknesses that perhaps exist in the inspection services through the ministry or perhaps weaknesses in this act. I do not know.

I am sure the minister and his staff are as concerned as we are and are very carefully looking at these incidents, but I simply wanted to again take this opportunity to express our concern. Two similar, very serious accidents resulted in deaths in the Ottawa area. We hope we are going to see some statement forthcoming from the minister with respect to these accidents and what can be done in the future to prevent similar occurrences.

Motion agreed to.

THIRD READINGS

The following bills were given third reading on motion:

Bill 207, An Act to amend the Energy Act;

Bill 218, An Act to amend the Environmental Protection Act.

GOWGANDA TOWN PLOT LAND ACT, 1989

Mr Reycraft moved, on behalf of Mr Fleet, second reading of Bill Pr5, An Act respecting Certain Land in the Town Plot of Gowganda in the District of Timiskaming.

Motion agreed to.

Third reading also agreed to on motion.

CITY OF WINDSOR ACT, 1989

Mr D. S. Cooke moved second reading of Bill Pr9, An Act respecting the City of Windsor.

Motion agreed to.

Third reading also agreed to on motion.

561239 ONTARIO INC ACT, 1989

Mr Reycraft moved, on behalf of Mr Chiarelli, second reading of Bill Pr10, An Act to revive 561239 Ontario Inc.

Motion agreed to.

Third reading also agreed to on motion.

MADAWASKA CLUB LIMITED ACT, 1989

Mr Reycraft moved, on behalf of Mr Black, second reading of Bill Pr12, An Act respecting The Madawaska Club Limited.

Motion agreed to.

Third reading also agreed to on motion.

PORT BRUCE BOAT CLUB ACT, 1989

Miss Roberts moved second reading of Bill Pr19, An Act to revive the Port Bruce Boat Club.

Motion agreed to.

Third reading also agreed to on motion.

VILLAGE OF KILLALOE ACT, 1989

Mr Reycraft moved second reading of Bill Pr22, An Act to continue The Corporation of the Village of Killaloe Station under the name of The Corporation of the Village of Killaloe.

Motion agreed to.

Third reading also agreed to on motion.

AGGREGATE RESOURCES ACT, 1989

Hon Mr Kerrio moved third reading of Bill 170, An Act to revise several Acts related to Aggregate Resources.

The Speaker: Am I ready to put the motion?

Hon Mr Conway: I think the member for Etobicoke-Lakeshore wishes to say something.

Mrs Grier: Yes, Mr Speaker, I do; I am sorry. At this point I would like to speak to Bill 170, which is An Act to revise several Acts related to Aggregate Resources.

This bill replaces an old, outdated piece of legislation that was called the Pits and Quarries Control Act. In fact, the only good thing going for the Pits and Quarries Control Act was that it contained the word "control" in its title, because it had the effect of having some control over pits and quarries.

We in my party are going to oppose this bill today, because we do not feel this piece of legislation does in fact control pits and quarries. We feel that perhaps more appropriately this bill ought to be called An Act to accelerate the Development of Aggregate Resources in Ontario.

We find it disturbing that this is what this bill does, given that it is being moved and supported by a government that is pledged to protect the environment, by a government that talks about sustainable development, by a government that has established the Ontario Round Table on Environment and the Economy in order to make sure that all its policies are subject to an environmental assessment, so to speak, and that the environment is incorporated into every piece of legislation and into every act of the government.

Yet what do we find when we examine this piece of legislation? We find a definition of "environment" that is a great deal narrower than the definition in the Environmental Assessment Act. It seems that if we are going to protect the environment of the province, we ought to have some common terminology so that we all know what we mean when we say "environment," so that we all know what we mean when we say "environmental assessment" and so that we do

not waste our time, the proponents' time and the administrative tribunal's time by having great debates about what we are actually trying to do.

I and my colleague the member for Algoma (Mr Wildman) moved many amendments to this piece of legislation in committee and almost all of them, except the most minute, were refused by the government members on the committee, but the most significant was our amendment that the definition of "environment" in this piece of legislation be deleted and replaced with the definition of "environment" that is in the Environmental Assessment Act.

I am glad the Minister of the Environment (Mr Bradley) is here to hear this debate, because I think the fact that amendment was defeated by the government demonstrates once again that it has one Minister of the Environment and 30 other cabinet ministers for other segments of the business of this province, instead of, as they are wont to say, that they are all ministers of the environment.

1510

The other problem we have with this piece of legislation is the fact that only certain designated parts of Ontario are covered by the bill. This was one of the shortcomings of the previous legislation, the Pits and Quarries Control Act and, in our opinion, a law to protect the environment from gravel pits ought to cover the entire province.

I know the minister says that within three years this piece of legislation over the regulations will be amended in order to cover the entire province, but if that is the intent, our position is, why not do it now, knowing how long it often takes to make changes to regulations and even longer to make changes to legislation? It may be years, if ever, before the land in northern Ontario, now excluded, is covered by this piece of legislation.

Another problem we have with the legislation is that the bill does not go nearly far enough to guarantee that there will be full rehabilitation of a pit or a quarry after the extraction has finished. The proposed licence fees to operate such a site and the security deposits to pay for rehabilitation are far too low really to do the job and there are no funds set aside to rehabilitate old, long-abandoned sites that pockmark the farm land of this province.

One of the more disturbing omissions from the bill is a number of amendments that were requested by the Niagara Escarpment Commission. During the committee hearings we were told time and time again that the escarpment commission agreed with the ministry, that

everybody was on the same wavelength and that we need not worry or have these concerns about the protection of the Niagara Escarpment.

But on closer scrutiny of some of the correspondence and the testimony before the committee by a number of community groups who had spoken with the Niagara Escarpment Commission, it remains our position that this act does not go far enough to protect the Niagara Escarpment.

This is something that was agreed to by all members of this House when the Niagara Escarpment plan was promulgated. I have time and again brought the Legislature's attention to the fact that the Minister of Municipal Affairs (Mr Eakins) is contributing to the erosion of the Niagara Escarpment by the actions he often takes in supporting counties and other bodies that wish to whittle away at the protection for the escarpment.

Once again, it calls into question the government's commitment to sustainable development, when the Niagara Escarpment, an opportunity if ever there was one to put in place a policy for sustainable development, is not fully protected by this piece of legislation. We may well find ourselves in the future having to fight off proposals for pits and quarries along the beautiful Niagara Escarpment.

I really regret that in a committee debate on this bill where there was a very wide-ranging discussion and a lot of submissions from people, most of those people submitting agreeing that there needed to be some changes to the legislation, that the legislation needed to be strengthened and that particularly the definition of environment needed to be strengthened, there was no evidence of any willingness on the part of the government members to acknowledge the strength of those submissions or to make the amendments we were suggesting.

I suspect, in fact I know, that had we been in a minority government situation we would have emerged with a much stronger bill that perhaps would have controlled the extraction of aggregates across this province, but again the majority prevailed, as I am sure it will today. But I would not be true to the environment of this province if I did not urge some members to stand up and be counted and to oppose Bill 170.

Mr J. M. Johnson: Just briefly, I would like to make a few comments on Bill 170. It has been a long time in the making. It was nearly 10 years ago that I sat on this committee when we dealt with the old pits and quarries act, and it was next to impossible to change at that time. I think all

three parties brought in something like 30 amendments. So it has been nearly 10 years in the process. It certainly is not totally satisfactory, but it has gone a long way to resolve many of the problems. I think we are better with Bill 170 as drafted than no piece of legislation.

I was concerned during the committee hearings that so many of the sections were left to the discretion of the minister by regulation. I can only hope that the minister exercises very wise discretion when the regulations are drafted and that the opposition parties maybe have an opportunity to look at those regulations before they are finalized. There are certain very important initiatives in the regulation process. With that word of caution, I would suggest that our party, to the best of my knowledge, is supporting the bill.

Hon Mr Kerrio: I certainly listened with interest to the two opposition parties' positions. When we put a bill that has taken all these years to get to the table, it is always a disappointment not to have someone speak about the very, very important aspects of the bill. I think especially the official opposition should try to do something that is a balance.

One of the most significant things that is unfolding with this bill is that, when extracting for the uses that the people of Ontario demand, for building homes and roads and doing all those things, we used to intrude on certain areas where there was difficulty, rehabilitating those areas so that they would not be an eyesore in our community. We had difficulty where we would have the roads broken up, in and around all these areas of extraction.

I think a major aspect of the bill that everyone in Ontario should be very pleased about is that we are going to get money from those people who are extracting in order to do rehabilitation—that is vitally important to future generations—so that we will see lands developed again for growing trees, for having trout habitats and doing good things, as I have seen, right in the Niagara Peninsula.

I should also point out that we are going to share some money with the municipalities that are impacted so that we indeed do not thrust all of the costs on those municipalities. The two major aspects of this bill are the rehabilitation of areas that we extract from and helping municipalities that are impacted.

Further to that, we are putting moneys aside to rehabilitate those abandoned pits and quarries. I think this is a measure of this government's will to look back to the past and say, "We had a pit

that was abandoned and it was left that way, and now we are going to even set aside some funds to do a very appropriate job on rehabilitation." We want to be absolutely certain that we leave this resource available to the young people of the future of this province. It goes without saying that we need these aggregates. We need to address the question.

We did make an amendment because the official opposition had some concern about describing the environment. Our people accepted the amendment and changed it so that we can word it and so that we have a thorough understanding of environmental issues.

Beyond that, I think one of the things that is important and significant is that this has had broader public exposure than many, many bills that we bring through the Legislature. By and large, the very fact that it was supported on nearly all sides is an indication that the bill is fairly well accepted.

The member for Wellington (Mr J. M. Johnson) brought up a very important question. I am fully prepared to share regulations as we develop them with the opposition party.

I believe that is about all I have to say on the bill, except that I am looking forward to the support of members on all sides for the quick passage of this bill.

The Deputy Speaker: Is it the pleasure of the House that Mr Kerrio's motion for third reading carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Motion agreed to.

1520

CHILDREN'S LAW REFORM AMENDMENT ACT, 1989

Mr Offer, on behalf of Hon Mr Scott, moved third reading of Bill 124, An Act to amend the Children's Law Reform Act.

The Deputy Speaker: Does the parliamentary assistant have an opening statement?

Mr Offer: This is third reading and I understand there is going to be some debate. I would like, if I might, to reserve some comments to the end, if that is fine with the rest of the members.

The Deputy Speaker: Do some members wish to participate in the debate?

Mr R. F. Johnston: This one does, definitely, and I am sure there will be others as well.

This is a very important bill. As I indicated at second reading, it is one of those bills which should be taken into focus by every member in this House. It is the Children's Law Reform Act, an act about custody and access: questions about where a child should reside, what sort of rights of access a noncustodial parent should have to that child, what rights a child should have in those kinds of circumstances. It is very much a guts of family law kind of issue. It is the kind of issue which is tearing some families apart in this province at the moment and making the lives of children exceedingly difficult.

The government, I presume in the best of all possible interests, has determined that some need for action was there in terms of assisting in access orders when people were not being given access. It has come up with this particular bill, Bill 124, as a solution. Our critic for the Ministry of the Attorney General, the member for Rainy River (Mr Hampton), and I convinced our caucus that it should have no part in this particular law, that it should not try to amend it, not try to tinker with it, that its very premises were flawed.

Yes, there were in some small instances in the province problems of access. We agree with that analysis and that this is an appropriate time to look for some solutions around the problems people are having in getting appropriate access to children from whom they are separated. But we feel this bill for a number of reasons is not the mechanism but adds to the problems that are already there within the system.

The new thing in this legislation which is so dangerous is a change in the way we look at this kind of law, to put the presumption in place that the best interests of a child are always dealt with by having both parents in their upbringing. This is a major change from our present legislation, the Children's Law Reform Act passed in 1982, which indicates that for anybody wanting access or custody of a child, first you have to determine whether it is in the best interests of the child that that individual be involved, then you move on from there.

What this new amendment does is make a presumption that unless it is otherwise proven it is always best for both parents to be involved in the raising of the child, and therefore access should be granted to the noncustodial parent. That change in emphasis in law is an incredibly dangerous thing which I will come back to in a minute.

The other thing that is worrisome about this piece of legislation is that the people we are talking about, who need a law at this point

because of problems of access, are people who are already victims in some measure of a court system which has set them in a confrontational path with the spouse from whom they are now separated or divorced.

These are people who feel so strongly against the other spouse, have such great antipathy towards that other individual that they sometimes are not able to step back and wonder whether the child is being best served in these matters. They are people who have been through the courts any number of times, and what this law does is make it easier for them to go back to court, and to go back to court on grounds which are incredibly dangerous, subjective and difficult for judges to deal with. I will come back to that matter.

This is supposed to proceed in a way that gives an expeditious court resolution, a 10-day period during which a person must appear in court to hear the charges by an aggrieved person. Yet every lawyer who came before the standing committee on social development spoke against this, saying it was impractical, it could not work, it was going to cause problems, it was a discriminatory piece of legislation in comparison with the other rights people have before the courts in Ontario.

As someone who has been around this place a little too long, some people might say, this is also a problematic piece of legislation in terms of children's rights. I know that there are many new members in this House and that we have an awful lot of reading to do as it is about current things that come across our desks, and we often do not have enough of a chance to look back into what has happened here in the history of this place.

But I would ask all members of the Liberal majority at this time to look very seriously at the Child and Family Services Act of 1984, on which I and other members of this House put in three years of hard work to revamp all our children's legislation except for the Children's Law Reform Act, 13 major pieces of legislation, to bring the acts up to date and to make them somewhat coherent, one with the other.

In that law, which deals with children who are in need of protection, children who are being adopted, children who are in long-term residential facilities and children who are young offenders, among others, we set down a standard of rights for kids, for what the limits of their participation should be in decision-making about their long-term interests. It was done weighing the balance of what a child's role should be with that of his custodial parent or the society in general that might have responsibility for him.

We came forward with a piece of legislation of which I am still very proud. Here we are, five years later, and we have a piece of legislation brought forward by this minister which entirely ignores all the principles of children's rights and what their role in decision-making should be that we passed in 1984. It is a terrible backwards step for the say that children should have.

Let me just whet members' appetites with an example, before I go back to the meat of this bill. In that other legislation, a child who is only seven years of age has the right to say no to an adoption. A 12-year-old has all sorts of rights within the Child and Family Services Act. Yet in this bill there is no mention at all of children's right to state anything about what they feel about the access or custody order which has been made concerning them.

I find it just mind-boggling that this should have happened. I know I should not impute motive, and I do not wish to do it in that kind of tone, but laws and legislative initiatives evolve for a series of reasons, often quite complicated.

I believe firmly now that one of the major factors with the premature production of this piece of legislation, Bill 124, and its hurried approach by the government—the government's desire not to have public hearings and to get this through in a couple of weeks last June—is all to do with the historical context of women's issues in Ontario; that is, finally, during the minority government period here, when the Liberals were first put into power due to the accord we struck with them, there was a recognition that men in the province could no longer not pay their support payments, that women who had court-ordered support payments must get payment for them.

Members here probably will know that before that law went through, as many as 85 per cent of the people who were ordered to make support payments were not paying them. When that good piece of legislation went through, modelled, much as it was, on the Manitoba initiative of a few years earlier, a number of members of men's rights groups said:

"Just a second. There is a quid pro quo here. There is a tradeoff; that is, I think that I am being denied access as part of the pressure around support. If you are going to bring in something which demands that I pay my support payments, then there has to be something stronger in the legislation which says that I have access to my child as well and that it can no longer be withheld from me, as it has been in the past."

As a result of that pressure, the Attorney General (Mr Scott) made promises to certain men's groups that this kind of legislation would be forthcoming. Now, that government has decided that this would not be for substantive changes in custody matters. This would be just for small, irksome details which have come up, and these would be the things that would go to court. They did not think they were trading off too much to these men's groups. I would suggest that what in point of fact has happened is that they have traded off far too much indeed.

1530

There are two other matters I would like to come to before I come back to the meat of some of these items within the bill so that people will understand just how bad this legislation is. The first is that the member for Etobicoke-Lakeshore (Mrs Grier) is here today, as one presumes she would be when this kind of legislation comes forward. She represents the riding in which the Lakeshore Area Multi-Service Project, a community organization, was offering access assistance to people who needed supervised access in order to be able to deal with their children in a civilized fashion. That program has been asking for money from this province since 1981, for some official recognition for the wonderful work it has done—I am sure she will talk in more detail about this—and it has been consistently denied.

As we in this party came to look at this bill, we came to the opinion, especially after hearing witness after witness, that what was needed now was not another court intervention, not another chance to have a confrontation between warring parents, but a means of facilitating access, a means of guaranteeing that judges across the province would feel comfortable in ruling that somebody should have supervised access and that professionals could intervene and make some determinations about whether that could move to unsupervised access after a time.

Instead, what do we have? If you can believe it, we have this government cancelling its only experiment with a funded access program in Kitchener-Waterloo, Lutherwood, with the Ministry of Community and Social Services basically saying, "We don't want to pay to have this kind of service provided," and the Ministry of the Attorney General saying, "We don't want to pay for having this kind of service provided." Therefore, that service went down and so did LAMP's program of Access for Parents and Children. It could no longer exist without funding.

So we have this terribly ironic situation: a law being brought in that will exacerbate the problems that are already there in the courts, which will make the battles even more bitter, more prolonged and continual, and we have no move to make supervised access easier for judges in the province to order.

The final thing I want to say is something which is becoming symptomatic of this government at the moment, that is, that there is a deafness which overcomes this government when it comes to public hearings. There is a desire now not to listen at all to what people are saying. We had a few men's groups, it is true, come in and tell us why they thought the general direction of this bill was good, although they did not like a lot of what was in it, but we heard from every lawyers' group in the province saying that this was a bad direction. We heard from every women's group that this was a bad law and a dangerous law to women's rights in Ontario. Yet there was not one substantive amendment proposed by the government itself.

Most difficult of all to listen to and imagine was the way that people who were coming forward, who were not custodial parents or access parents but were grandparents, for instance, were treated before this committee in terms of their concerns and their interests. They were made to believe that there was nothing that could be done to this legislation that would increase their rights to access, which are already in the present Children's Law Reform Act, that the sections which were wanted to be amended, especially by the member for Markham (Mr Cousens), were not appropriate in this act, that you would have to go back to earlier points if you wished to amend it and that grandparents' rights are well enough protected in this law as it is.

Those people who came before that committee and were there day in and day out, some of whom are still here in this House today watching this law go inexorably through, were very disappointed with the fact that they felt they were not listened to at all.

Let me come back to a little detail about this, if I might. I know there are others who want to get into this debate, but I think there are some serious problems in this law which have to be looked at. The first is this legal question of whether in this law, unlike any of our other laws which affect the best interests of a child, there should be some presumption all of a sudden written into this law which says that the best interests of the child is to have a continuing parent-child relationship with

both parents. This new subsection 4a to section 20 of the existing act is a substantive change.

I think it is important to know that that earlier section of the Children's Law Reform Act, from the bulk of what is amended here today, gives rights to all sorts of people to have custody and access, and this is what this section is amending. But it does not presume anywhere in here that it is necessarily appropriate for an individual parent to have access afterwards.

The government's argument on this is that it links this to another new section of the bill, which has to do with violent family members, violent parents. It basically says that this right to have access applies to all parents unless they have been violent. That is what the new section says. They think this covers the problem that is there in law. I tell members it does not. That is not a solution because it ignores a number of factors.

Going back again to my experience in other children's law in the province, the whole concept that somebody has committed violence against another person and the lack of definition of what violence is in this act ignores the question of whether a continuing relationship with a parent who has been systematically negligent of a child, not violent towards the child but by omission negligent for years, should automatically be considered to be in the best interests of that child.

I would suggest that from our other legislation and looking at the whole question of the definition of a child in need of protection under the Child and Family Services Act, we put those things down as equal: Continued negligence is as bad as direct physical violence. Yet this law does not presume that at all. Instead, it presumes that even though the father of that child, for example, may have been away for months at a time, may have never participated with the child before the separation, may have left the child in dangerous circumstances while he went out carousing or whatever, by this law with its new amendment that person is automatically to be deemed by the courts to have a right of access that is in the best interests of that child. That shift of weight of law is an incredibly dangerous thing.

Mr D. R. Cooke: It's a presumption rather than a deeming.

Mr R. F. Johnston: It is a presumption. Yes, it is. The member for Kitchener is right. It is not as strong as the federal legislation's language, but the intent is very similar.

I say to members again, going back to the whole question of children's rights, that this amendment to section 20—I encourage members to read section 20, the custody and access of the

existing law—says nothing about the rights of children to make the determinations around custody and access. A 12- or 14-year-old child under this existing legislation has no right to say: “No, no. Having my mom around”—just to hypothetically change it this time—“is inappropriate for me. I don’t want her around. I do not consider it in my best interests.”

If you really wanted to change this piece of law, as the government has done, to presume this best interests qualification, it should have put in some kind of rider which gave strength to the rights of children to be able to ascertain that. Instead, what the government has done with this is diminish the rights of kids under law by moving this from what we have presently. Under our present legislation, a lawyer for a child can go in and say in the initial access fight: “Just a second. Dad hasn’t been playing a role here for years and this 13-year-old girl says she doesn’t want to have him having any access.” That can be done under the existing law. Under this law, it will be much tougher for any child’s lawyer to go and make that kind of argument, because of the presumption the government has put in.

Every women’s group that came before the committee told us that this was a dangerous presumption to have. Grandparents, of course, said to us: “If you’re going to presume that it’s good for parents to be involved, why don’t you presume that it’s good for grandparents to be involved? Isn’t it just as logical?” Of course, that is not part of what this law is about at all. Grandparents have only the same rights as any other individual involved, other than the parents, under this legislation.

Let me just deal with a couple of other things around children’s rights in this. It just drives me crazy.

Mr Keyes: Are you for it or agin it?

Mr R. F. Johnston: Am I for it or agin it? the member for Kingston and The Islands asks me. I am very much agin it, as he may gather. I would have hoped, especially after the hearings, that we would have had this rethought and withdrawn.

If you look at section 24, which is the section 2 of the bill, there are some fascinating parts there of old parts of the bill and new things which are added. Strikingly, there is no change in language at all in that section about the child’s best interests or the role of the child. As well, when you come down to the question of who can say whether a father has been using his access appropriately or has been denied his access inappropriately, the only people who have a right to go to court on that are the mother or the father.

The child has no right, no ability to say: “Just a second here. They’re both feuding over me. They’re both screwing up my life and I want to go to court to say that I want these kinds of terms put on my existence.”

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It is important to remember that the only time these custody things change, according to our legislation, which we have not amended, is when the child is married. That is when it changes. When that child marries, he or she has certain kinds of rights, but before that time he basically does not have a role to play in this matter.

A woman came before this committee, again under this same section, asking: “Why leave in this section which says that the length of time the child has lived in a stable home environment should be taken into account when we have had a court judgement in this province this last year which determined that an interval house, a transition home for battered women, was not a stable environment?” That was one of the reasons a judge used for basically denying access and custody to the woman involved.

It is an arcane kind of notion which really needs to be revamped, or for some kind of regulation to be put in place which basically makes it very clear that we do not mean that a woman who has been battered, who then has to go into a transition home for maybe six months in this province because of the waiting lists and the lack of second-stage housing, is now going to lose her chance to have custody or access to the child because she was put in that position. It is just mind-boggling to me that that kind of thing was not changed.

I want to move along. I do not want to go into the same kind of detail I went into in committee, but perhaps members would again look at section 35a, the new part which deals with whether access was wrongfully denied. What the government has set up is this amazing shopping list for people who hate each other to choose from to go back to court, and they can go back to court in 10 days’ time.

Now we are going to have the situation set up where access can be denied if: “The responding party”—that is, the custodial parent—“believed on reasonable grounds that the child was suffering from an illness of such a nature that it was not appropriate in the circumstances that the right of access be exercised.” In other words, the child was ill, therefore the mother could say, “For that reason, I don’t think the father should see this child.” It would be all right if we were talking about reasonable parties who have proven

themselves to be reasonable before the courts before, but what we are establishing here is the dangerous likelihood that people are going to use this as part of the interpersonal fight they are going on with.

Mr D. R. Cooke: They use the courts now.

The Deputy Speaker: Order, please.

Mr R. F. Johnston: The member for Kitchener (Mr D. R. Cooke) wishes to debate. Through you, Mr Speaker, I would say to him that again and again lawyers came before the committee to say that at the moment what you have to do is go for contempt of court proceedings if you wish to do it; it does not happen much and therefore this kind of example would not be used. Even so, as anybody who drafts legislation around this place for any number of years would know, to give people a shopping list when you are moving into a confrontational mechanism is just crazy. You are far better to leave it generalist and leave the judge's hands less tied.

I will come to the procedures that are enunciated afterwards, if I might, to show members just how dangerous this is. If you think about it, the exact time that a father might want to be with a sick child, just to be able to sit by the bed and hold the child's hand, now could be used as a weapon interpersonally. You can imagine the kind of emotional ferocity that is going to develop—

Mr D. R. Cooke: It is used as a weapon now.

Mr R. F. Johnston: The member says it is used now, but what the government has done now is given it extra legitimacy by putting it down in black and white.

The Deputy Speaker: Would the member for Kitchener stop making interjections, please?

Mr R. F. Johnston: Not only do they put this down but they put down such things as the following: "The responding party"—the mother, let's say, the custodial parent—"believed on reasonable grounds that the child might suffer physical or emotional harm if the right of access were exercised." I would again suggest to members that they read the Child and Family Services Act, where we dealt with the question of emotional harm at length, because we understood how dangerous a loose term like "emotional harm" was when dealing, again, with these kind of circumstances or even with just a child in need of protection.

On page 623 of the Statutes of Ontario, 1984, I would indicate that clause 37(2)(f), in terms of a definition of a child in need of protection, goes on to describe what is emotional harm:

"(f) the child has suffered emotional harm, demonstrated by severe,

"(i) anxiety,

"(ii) depression,

"(iii) withdrawal, or

"(iv) self-destructive or aggressive behaviour...."

It goes on even further in terms of what is emotional harm in that case.

There is no definition of emotional harm in this legislation, again to be used by people who are in the habit of going to court fighting each other. We are opening the door for vexatious—

Mr D. R. Cooke: We are just giving them some direction.

The Deputy Speaker: Order, please.

Mr R. F. Johnston: The member is wrong. What they are doing is giving them a prescription for how to go back time and time again. That is what is dangerous about this. Again, without supervised access being provided in adequate forums and supervised forums across Ontario, all they are doing is setting up a continual revolving door of people going in and out of court on these kinds of things, trying to win this case, trying to win this time and get some kind of one-upmanship with the person they have been involved with.

I will not go into much detail on the mediation questions, I hope my colleague the member for Rainy River will do that, but suffice to say that there is a leaning on the mediation process which is highly unrealistic, in my view, in this legislation, especially when we have as yet no standards in this province for what is acceptable mediation. Any further growth in that kind of concept without laws to govern it, in my view, is really mind-bogglingly stupid.

The other thing I would say is that when they put the shopping list down for wrongful denial, what was not put down was a quid pro quo. There is a really interesting thing here, if you think about this from an aggrieved ex-husband's point of view. He can be denied access because it is alleged by the other person that he has been involved with alcohol or drugs, but there is nothing in this law which says he would have the right not to return the child when he is supposed to return the child if he thought the custodial parent was drinking alcohol or was on drugs. There is nothing in there to protect on the other side. If they really believe in their shopping list, they should give the shopping list out for both sides on this. There is weight of law here which is unfortunate, in my view.

Let me come, if I might, to the question of these court processes in 10 days. We had many lawyers come before the committee who said that this is not only preposterous, given the way our present court system is working, but is also incredibly dangerous.

If I can give the members the example that was given to us by some women from Mississauga dealing with immigrants, they basically said to us: "Can you imagine the problems for a woman whose first language is, for instance, Portuguese, who speaks very little English, has been in this ongoing battle with her husband or her ex-husband over years, and now she receives a court order to order her to court to deal with some matter which she can't understand, which she receives in English, which she doesn't understand?"

She is working, say, in the garment industry in downtown Metropolitan Toronto 60 hours a week and does not have much time to deal with things. Finally, after five days, she goes and gets it read to her what this thing is that she has received. She then has four or five days left to be prepared to go into court to respond to what could be vexatious charges against her, and the burden is now on her to prove that she did not wrongfully deny, according to the shopping list which is provided by the government. And she can only do this—if you can imagine this, Mr Speaker—with oral evidence. Oral evidence is all that is involved here.

Mr D. R. Cooke: It is a simple fact situation we are dealing with. You don't need six months to prepare.

The Deputy Speaker: Order, please.

Mr R. F. Johnston: Here again the member for Kitchener is so helpful, because he reminds me of the ludicrous government arguments in this.

What the member is telling me is that all you are dealing with are small factual problems; you do not have to go into histories of people. This is strange, because he knows lawyers, intimately, I would have to say, and he knows in point of fact that if a lawyer wanted to make some arguments around alcohol abuse, he would certainly want to try to get before the judge's ear and eye some evidence about previous alcohol abuse to really show that there was a likelihood that the allegation of alcohol abuse was there that night the access was denied. He knows that, and as all the lawyers who came before us told us, they would do everything they could to build the context within which the fact was being brought forward, and if it was denied them, they would

want to basically push and push that point as far as they could.

Again, if you are dealing with a person, for instance, who has been in a violent situation—an unreported violent situation, like the vast majority of violent situations are in a family situation—why on earth would she feel good about going to court to give oral evidence in the presence of somebody who has put her in that kind of intimidating situation over the years and not be able to sign an affidavit, as she has the right to do in other kinds of circumstances?

I think there is a whole range of reasons why the Canadian Bar Association and many lawyers' groups coming before us indicated that this was going to be incredibly problematic and dangerous.

I will allow other members a chance to get into this, although I would like to speak at some considerable length and depth and passion about why this law is so dangerous and why it is going to come down on this Liberal government's head, why the women's groups across Ontario are going to vilify it for this particular action it has taken, and the legal profession is going to lose respect for the government for bringing forward this kind of legislation.

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I would just say that we have tried to tell the government it is a mistake, we have tried to tell it to withdraw it and to show it has another kind of emphasis, but all it has is two ministers who are warring with each other, both trying to deny any budgetary responsibility for good programs of supervised access across Ontario. They have been battling now for years about it, and most recently the Ministry of Community and Social Services has given a clear indication that it is not interested in paying for these kinds of costs.

Instead of moving into that kind of conciliatory process, instead of trying to develop the kinds of programs which will assist families who are in trouble, assist people who have real difficulty dealing with themselves and not seeing each other as ogres, to be able to operate in the best interests of their children, the government has come forward with a piece of legislation which, in my view, is going to bring more hell to those families and more impossible situations before the courts for them to try to make determinations on.

I would still hope that at this very late hour this government will finally see the common sense that I know members on that committee were feeling. I know just how awkward certain members in the Liberal caucus, whom I will not

name, were feeling on that committee by the end of this process.

I wish the rest of the members, before making the fundamental mistake of passing this law, would think twice about it and not have to revamp this dramatically in another year's time when they see the havoc they have brought on these families and on the court system. I have been saying this now for several weeks, both in committee and here in the House, and I do not notice that there has been any change of heart discernible to me.

Mrs Cunningham: It is with some degree of frustration that I lend my comments to Bill 124, An Act to amend the Children's Law Reform Act.

I am very familiar with the issue of access and custody. In my work before I came to this Legislature, I was very much involved with families and I can say that what families need, especially children, is not more legislation.

We could begin by saying that the kind of money going into writing this legislation and into the courts further down the road, the kind of money that families are having to spend and the kind of money this government is having to spend on behalf of the people it represents, is an absolute waste.

If anyone cares about the whole objective of our society and the kinds of laws we are trying to write, especially this one, we always want to talk and write legislation in the best interests of the child. This particular piece of legislation is simply not in the best interests of the child.

As a matter of fact, I think this piece of legislation is particularly misleading, especially to fathers, because they really think something will happen because of this. This whole piece of legislation was sold to fathers, because they thought if this bill came in they would get legitimate access to their children. In fact, they will not unless they are extremely wealthy, because they are going to spend an awful lot of time in the courts, as they do now.

In looking at the introduction of this piece of legislation, it was stated by the Attorney General, "It is intended to ensure that access to children is not unfairly denied to a parent." No one can ensure that, not even the courts.

It went further to say, "The main feature of the legislation, originally drawn up in response to complaints by fathers who claimed they were unfairly denied access, is a requirement that disputes be heard and resolved quickly by a court."

I really think that when many of the fathers who were in support of this particular piece of legislation looked at it, at first glance, on the surface, they thought perhaps it would be helpful to them. As the committee hearings progressed, the fathers, at least those who were in touch with our office and with the Progressive Conservative Party, were slowly withdrawing their support for this piece of legislation, especially as it remained unamended.

I really think one should pay very close attention to some of the expertise we have in this province. I have before me a letter from the provincial court (family division). This is from Judge Nevins. "I am writing to you as chairman of the law reform committee of the Ontario Family Court Judges Association." In this particular instance, in the letter of 30 May 1989 to the member for Brampton South, he goes on to talk about the practicalities of the proposed hearing process and the standards to be applied at this hearing. Just on the practicalities—because we are talking about the issue's being resolved quickly—this is what Judge Nevins, one of the experts we should be listening to, says:

"The bill proposes that in the event of an alleged wrongful denial of access a motion may be brought on, and if it is, it shall," underlined, "be heard within 10 days after service. In addition, the motion shall," underlined, "be determined on the basis of oral evidence only. The difficulty we see is how to administratively accommodate these motions within a 10-day period. In the larger urban centres, court dockets are usually filled well ahead of time and the prospect of having to entertain a motion without having the discretion to adjourn it even on the consent of the parties would inevitably mean that other cases which have been set down and waiting for some time would have to be moved off the docket."

Then he goes on to talk about even more difficult problems. I would be happy to read the whole letter into the record, but I am sure that members who are interested, especially in change, could be looking at this letter themselves if they so desire.

I think what I am trying to say here is that if one of the main features is the requirement that disputes be heard and resolved quickly by a court—if that is the emphasis of the government—when the courts, the lawyers who appeared before the committee and the Chief Justice are telling us that that is not possible in today's system, certainly then we must all admit that one of the main features of the legislation is

unattainable; it just will not work. In fact, it mucks things up even more.

What does that do to families? If I thought I had a little piece of legislation in my hands and could take it to my lawyer, if I had the money, that is, or if I were to go to a family court clinic—by the way, the legal clinic in London was just closed down, at the very time that we need it—I would find that the kinds of services this government should be supporting are withdrawn when it comes to families and children. There is no doubt in my mind that having to go into the courts at all is an unnecessary process in these times, because there are other services out there, which I will speak to, that are working. This government prefers to write laws that are not necessary and not needed, especially by children, whose interests we are here to represent.

Can I go on to state another response by the Attorney General? This is what the Attorney General would say to a child if he knew his parents were fighting about access. I am quoting:

"In the event your mom and dad are unable to agree, we have now created this mechanism that will permit them to go very quickly to a judge who will look out for you and do what he can to make sure you get a fair chance to see both your parents"—never mind grandparents, "both your parents."

It is so unfair to think that a piece of legislation, especially this piece of legislation, Bill 124, would even begin to meet the expectations of children in that manner. Since being elected to this Legislative Assembly just over a year ago, I suppose that I am particularly disappointed with the process. I would have guessed that in a committee that had this wonderful opportunity to influence the quality of family life in this province, we would have taken our time and worked through some amendments that would have assisted, even though it would have been my preference to throw the whole thing out and work on what really counts, supervised access centres for children.

I would like to say something about supervised access programs. There were some amendments put forth by our party, by the member for Markham in particular, that would have strengthened the government's commitment to these programs.

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I am reading now from a letter from Merry-mont Children's Centre in London, Ontario, where I worked as a supervisor in these access programs for a number of years and where I think the success rate was rather incredible when it

came to children visiting with parents, grandparents, neighbours and other relatives, basically in the best interests of the child. It is a centre where young people would go if there were disputes around whom they were allowed to visit with.

During the visit, one or other of the parents, or in some instances grandparents or other relatives, would receive some assistance, some counselling around the tremendous tragedy that has happened in the family. They would receive some counselling around something that I suppose they never thought could possibly happen to them and that they would ever have wanted to happen to their children.

But these are the times, and we are looking at increases in divorce rates in this province. It is not a pretty picture when it comes to the quality of family life. Therefore, why are we not looking at programs that would help children and programs that would help parents? Everybody wants to see his child. People want to be with their children and they want to watch them grow, and we are not allowing it to happen, certainly not with the passage of Bill 124.

I really object to the comments of the Attorney General when responding to children and saying, "This bill will help you see your mommy and your daddy." It is totally misleading. Supervised access programs would do so, but this bill will not.

"A supervised access program has two major goals"—and I am speaking from a letter which was written to Todd Decker, clerk of the standing committee on social development, from Merry-mont Children's Centre, specifically the director, Jan Lubell, as she tried, I think, to enlighten somewhat the members of the committee.

Another great disappointment for me after having been elected is the lack of enthusiasm for gaining new information and trying to make good decisions, especially decisions that affect children and their family life. I do not think it is a joke that we went into that committee and put forth a number of amendments, none of which was skilfully or even in an interesting way debated by the members of the Liberal Party on that committee.

I should give some credit to the members who asked questions. I would do that. I could see a change in attitude, because all of us would admit that when we are elected, we do not know everything, and most of us are very keen to learn about areas, especially of law, where we have the responsibility for making legislation that affects the quality of life in this province. Therefore, I think we should be taking our responsibilities

more seriously, especially when it comes to a bill such as this. There was very little intelligent, even mediocre, debate on behalf of the Liberal members of that committee, but there were some very good questions from those who were interested but seemed to have their hands tied somewhat as to the outcome.

I quote: "A supervised access program has two major goals. The first is to assist families in carrying out child access requirements by providing a neutral, supportive setting for visits and exchanges." I should add that many of these families never went to a court. They did not even go to a lawyer. They solved their problems themselves.

"The second is to ensure that children have the required and appropriate contact with noncustodial parents in a setting that is sensitive to the child's particular needs. The program was developed to assist families with access on a short-term or interim basis. It is not meant to be a long-time solution to access problems, but a supportive, prevention- and education-oriented," and I would underline that, "experience to enable families to make the transition towards their own successful handling of a difficult situation."

When the chairman of the committee, the member for Brantford (Mr Neumann), asked the research support to the committee about the access centres across Ontario, we were told that there were some six programs in the province. Five of them have been going on for some period of time and have been supported by their own communities in some ways, whether they be private boards, volunteers or social service agencies that plan to support these access centres out of their own budgets. Only one of them, the Lutherwood Children's Mental Health Centre in Waterloo, was supported by the government. It was a demonstration grant from the Ministry of Community and Social Services.

I find it most disappointing, as a person who has worked in this field for some time, both in education and in the delivery of social services, to know that we can take a look at what the government calls a pilot project for some 17 months and not particularly be interested in the evaluation of the program, because the program ended at the end of March.

I think we should have looked at what the recommendations of that particular group would have been with regard to Bill 124, because many of the people going through that particular program would have had some very real life experiences for us to draw on.

I emphasize that one more than the others because it is one that this government supported for a period of time. It seems to me that we were told today by the member for Scarborough West (Mr R. F. Johnston), in his eloquent response to Bill 124, through his commitment and experiences over the years, how disappointed he was with regard to the phase-out of this program. I think it is really too bad that we have programs such as this working across the province that are, I underline, preventive and educational in nature that we could be supporting. Instead, we are supporting what I think will be more broken promises to families because of the passing of Bill 124.

I would like to take an opportunity to quote from a letter from the London Family Court Clinic with regard to Bill 124. It is talking about the introduction of this bill and addressing a number of issues related to parental custody and access disputes. Instead of speaking to the bill itself, they decided, "Instead, we wish to focus on the issue of community resources that both the current and amended legislation require in order to help parents and the courts deal with these difficult family issues."

They are acknowledging that no legislation can stand alone, especially not this particular piece of legislation. They are acknowledging the same concerns that were presented to us. I could quote from hundreds of letters by the Ontario Family Court Judges Association as they almost plead with us to talk about the standards to be applied.

I will quote from that letter from the family court judges: "Regarding the deemed legitimate reasons that might justify a denial of access in subsection 4 of section 35a"—which was probably the most controversial section we had with regard to public input—"our concern is that in some cases they may either be too vague and uncertain to be practical, or they may invite or foster litigation between the parties." From my experience, I think they definitely think they are too vague and uncertain, but I think the big danger is that they will foster litigation between the parties.

Dr Jaffe of the London Family Court Clinic knows how devastating litigation is on families and children. He wants to avoid it as much as possible. His Family Court Clinic is to support the courts if someone is unfortunate enough to have to go that far when it comes to access arrangements.

He goes on to say, "The issue of access denial is often a complex one where the 'fact' of no

contact is often supported or countered by conflicting evidence which may indeed represent entrenched family or personal problems." When one has entrenched family or personal problems, no piece of legislation is going to help. It makes it worse. When people become more angry with each other, children suffer.

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"Even under the current Children's Law Reform Act, courts have noticed the difficulty of dealing with families in crisis and have been using sections 30 and 31 to obtain assistance in the form of clinical assessments or mediation."

Even now, the courts are having to use other means of keeping families outside the court system through the process of mediation.

"While the present and proposed legislation recognize that these issues may require a full evaluation or mediation, there has been no commitment on the part of various provincial government ministries to fund such services other than in a few isolated locales."

I know I have spoken to the support services. What I have not spoken to are some of the amendments. During the process of these particular committee hearings, our party, with the tremendous support of the member for Markham, put forth a number of amendments. A lot of them had to do with increased emphasis on mediation as a means of resolving disputes.

The member for Markham said: "In its present form, Bill 124 sets out mediation as one of several options. One of the common arguments against the current system is its adversarial nature and the stress that is created in an already stressful situation... Mediation can provide a way in which the parties to a dispute can sit down with a trained person, together or separately, to resolve their differences."

The reason for our party's amendments was this: to more clearly spell out the role of a court-ordered mediator in both making recommendations on custody and access and in resolving current access disputes.

The proposals of the member for Markham included a clear framework for mediation. He talked about who shall act as a mediator, guidelines for the process and levying of fees for mediation.

I should say that as those amendments were put forth—I have already spoken to the process of elected people not providing, I think, a high-quality level of debate around those amendments. Quite frankly, I think they were not interested.

In response, the government said, "We can't deal with these particular amendments about mediation, because we've just received a report of the Attorney General's Advisory Committee on Mediation in Family Law."

I was very much aware of that report being written. I should say that in the community of London, there were many people working in the area of family law who sat down for many hours to be of some support to the government and to advise the government wherever possible on the process of mediation. If this report were important at all and if the recommendations of that report were to be looked at, now was the time to deal with it, given the long process of making laws in this province.

Since Bill 124 had been received so negatively by the community, by parents, by grandparents, by people providing programs, by supervised access centres, by women's groups, even by men's groups, by lawyers and by judges, why was the government in such a hurry to get this thing through? Why did the committee not take time to take a look at the report of the Advisory Committee on Mediation in Family Law?

We are so fortunate in this province to have the expertise we have. What we do not do is use it widely. I would think some of the people who worked on this committee must be absolutely in shock and tremendously disappointed at the total lack of respect for a report such as this, because they know we had a wonderful opportunity to deal with it at this time.

I really do not know what to say about this bill other than that nobody was listening. Mr Speaker, I will tell you about the group I felt tremendously sorry for during this whole process. We have not smartened up in this province at all when it comes to paying attention to people who count. These are mothers and fathers and grandparents and children. The group that has been coming in there for a very long period of time is grandparents.

We had an opportunity in this bill to make very few changes. Do members know what? We are afraid of it. We forget that the courts are there to help us administer justice. It is for us. It is for families, parents and grandparents that we write laws, and for children most of all. That is what this whole society is about. If a judge needs just one small direction, we have an opportunity in law to provide him or her with it.

Looking at Bill 124, we had an opportunity during this process to emphasize people who are extremely important in families. They have always been important. They are important in

other parts of the world and they are recognized, but here in Ontario we do not recognize it at all. In the few times I had grandparents who really wanted to be part of this whole mediation or supervised access program, it was they in their wisdom who gave support to the children. We are not tapping one of our most precious resources.

We sat here last week in recognition of seniors. It would have been a wonderful time to take a look at this piece of legislation and recognize seniors, many of whom are grandparents. This is not a political thing; it is a necessity for the quality of family life.

I suppose one of the great concerns of our society right now is when we look around at how many young people seem to be wandering without family support. Here we had an opportunity to say to a judge, "Look, a mother or a father is important, but maybe a grandfather or a grandmother is more important than any other blood relative." We did not do it. It was a tremendous injustice to children, never mind grandparents.

What else can I say? They are still very much involved. We will be hearing from them again. I think the parliamentary assistant in the committee said we would be looking at the report of the Advisory Committee on Mediation in Family Law. I will very much be aware that it ought to be a priority so that in some way we can take a look at the meaningfulness of the submissions before the committee.

I would like to close today on Bill 124 in a rather personal way. I have referred to it before and it has to do with process. When we first started these hearings, I received input in my office in London North from many fathers, especially fathers who were very much part of the In Search of Justice group, which is chaired by Ross Virgin. I was very much aware of the hopes and dreams of fathers who had been denied access unfairly, they thought.

I started from scratch with this legislation personally, took a good look at it and from my own professional involvement with children and families tried to figure out some way of supporting the bill. Therefore, I think I did my usual amount of homework in talking to lawyers and to judges and asking their opinions. I can only say today that the bottom line is that we are barking up the wrong tree with this particular bill. We are not fixing anything; we are making more work for lawyers.

Quite frankly, they do not want it and they do not need it when it comes to family law. They would much prefer, because they are human

beings first and because they care about their own children, as well as other people's children, that we solve these family matters and these problems in another way.

I will end my whole argument on this bill today by saying the services that are needed in this province are needed now. They were needed yesterday and they will be needed much more in the future because we are doing very little in the work of prevention and very little in the work of education. Therefore, I hope this legislation will just fall between the cracks, that not too many people will even rely on it.

I hope I can find the amount of money it has cost for these public hearings and the writing of this somewhat questionable law so that I can let the public know just one more way that I think this Liberal government is definitely not working towards improving the quality of life in this province. I have sat now on three committees that have done absolutely nothing and have passed bills that mean nothing to the public at all. It is just a bunch of busy work and I hope they absolutely say goodbye during the next election, because I am disgusted that after having this opportunity to change things for children, in the best interests of the child, they have simply blown it.

I will stop on those words because I believe them to be true. Thank you, Mr Speaker, for the opportunity of speaking.

1620

Mrs Grier: I think this is too important a debate not to express fully the disappointment we on this side feel with this piece of legislation.

As someone who spent a long time in the municipal field before I came to this place, I want to echo the comments of the member for London North in my disappointment at the lack of the ability of committees in this place to do constructive work. My understanding of what a committee was when something was referred to it was that you to some degree dropped your partisanship, that you heard from the public, that you listened to presentations on all sides of an issue and that you tried to fashion a piece of legislation that would further the best interests of the province and the best interests of the people of the province.

We have had third reading this afternoon for two pieces of legislation, the Aggregate Resources Act and this piece of legislation, where in both instances we had a lot of input. We had a lot of criticism and we had a lot of support in some cases, yet those of us in opposition are forced to say that we saw no willingness on the part of the

government to allow its members on those committees to act constructively.

It really is such a shocking waste of talent, because there are talented people on all sides of this House, and frankly it is such a shocking waste of time of members on all sides of this House, and an insult to the people who prepare submissions, who at some inconvenience to themselves come to appear before committee of this House, wait around to be heard and then make their submissions as some of the members of the public who have followed this piece of legislation day in and day out because of their concern, as grandparents, about this piece of legislation.

It is an insult that their submissions are not taken in the spirit in which they are submitted and are not taken into account when the committee makes its decisions on the legislation. Instead, we have a majority that says, "Our will shall prevail," except in the most minute amendments which they are prepared to accept.

What this exercise demonstrates most clearly is that legislation is not the way to deal with human problems, the problems caused in a family when parents separate, to the couple, to the children and to the grandparents. I speak as a grandparent who has not had to contemplate this situation, but who knows how I would feel should my grandson suddenly become an object over which his parents were fighting and I was perhaps an extraneous bystander wondering whether I would ever get to see him or to be a grandmother to him.

We have difficult human situations, and what this government is doing is passing a piece of legislation that is going to make those situations more difficult. What this government ought to be doing is putting in place the services that would help to ameliorate those human situations, being prepared, quite frankly, to put its money where its mouth is and fund the programs that can help ameliorate those human situations.

We have a piece of legislation that purports to give the rights of access of parents to a child, but does not build in a means of implementing that act. We have a piece of legislation that purports to be in the best interests of the child, but instead exacerbates the conflict between the parents and will make the child an object to be fought over before the courts.

We have a piece of legislation that makes reference to the possibility of supervised access in those situations where the parents are so at loggerheads that they cannot agree on how access to the child is to be given, a piece of legislation

that mentions supervised access but does not put in place a mechanism by which this can occur.

The members have heard me time and again raise in this House the question of the program in my own riding, which was alluded to by the member for Scarborough West, Access for Parents and Children, a service that was in operation for eight years and is no longer in operation, a service designed to do what this act says it wants to do, a service that did what this act says the government wants to do, and a service that folded because this government was not prepared to support it with money.

I want to remind the members of the government about some of the facts of that service, Access for Parents and Children, from the submission the director of the program made to the committee considering Bill 124.

In 1988, 1,298 visits occurred under the auspices of the Access program. On a limited budget, that program had 1,180 volunteer hours in 1988, board hours and service volunteer hours, to allow those 1,298 visits to occur. There were 1,467 individuals served by that program in 1987; more in 1988. The letters of support for that service came from lawyers, judges, parents, social workers, all attesting to the fact that the service was cost-effective, efficient and provided a need that could not be met in any other way.

Included in the statistics that Access submitted to the committee studying Bill 124 were some very interesting figures about the reasons for referral to the supervised access program and the results of that referral.

Of 100 families looked at, eight were referred to the program because of allegations of sexual abuse; three because of a risk of addiction; 23 because of past violence in the marriage or union; 21 because of a present conflictual relationship between the parents; eight for psychiatric illness; 15 for alcoholism or drug abuse; 14 because of lack of parenting skills; and eight because of a lengthy separation between the child and the noncustodial parent, so the court felt supervised access would be the best way of bridging that separation and bringing the child and the noncustodial parent back into a relationship together.

What is striking are the figures that show the number of those families that graduated from the program to the point where they were able to survive without supervised access. Particularly interesting were the 23 cases where there had been past violence in the marriage. Fourteen of those cases graduated to the point where they no longer need supervised access. Where there was

conflictual relationship between the parents, 21 of whom had been referred to the program, 10 got to the point where they no longer needed the program. Where there had been alcoholism and drug abuse, 15 cases, six graduated.

The point is that the Access program was working. It was creating a situation where supervised access was not required. It was allowing those parents to get back to a normal basis where they communicated with each other and where they did not fear each other to the point that they required supervised access for the child to be seen. Surely that is what we ought to be encouraging, not what we ought to be killing by lack of funding, so that there is now no longer a program and the families that were making use of it, the families that were graduating from the program, have nowhere to go.

I really regret that we find ourselves in a position today where we are going to be putting this law on the books of the province. It is a bad law and we ought not to be supporting bad laws. It is a bad law, but the government is supporting it, because it satisfies its insatiable need for the appearance of having done something, for appeasing one small group or seeming to appease one small group. As has been said by members before me, I think the government will live to rue that day. I think the people the government thinks it is going to appease by this legislation will quickly find that not even they have anything to gain from this particular legislation.

1630

The effort, the time, the stress, the work and the struggle that have gone into fighting this legislation, into seeking amendments to this legislation, will all have to be played out again, because I am sure it will not be very long before even this government sees the need to redraft some legislation and to put in place legislation that will truly protect the rights of the children of this province, that will truly do something to reduce the conflict and difficulties that arise in cases of separation and that will truly allow we grandparents some rights in the case of family breakdown with which we are associated.

I am proud to be here to vote against this particular piece of legislation.

Mr Jackson: I too would like to rise and comment on Bill 124, the Children's Law Reform Amendment Act.

I had the opportunity to participate in the public hearings, which were extensive and dealt in considerable detail with this piece of legislation. I too was filled with a certain degree of hope that the process of public hearings would enable

us to take a bill which had a purported objective of being child-centred, and then, taking each of the clauses and understanding more clearly the intent of this bill and realizing that it did not achieve what it purported to do, we would have a real opportunity to amend the bill in order to assist the very problem it proposes to address.

In this instance, it is what appears to be the ongoing battle between custodial and noncustodial parents in terms of access to their children. That appears to be what the government is attempting to address. In fact, it is not. It is not addressing the real issue, which is to determine what is in the best interests of the children.

I will not vote for this bill. I have been known to vote against bills on the basis of the violation of my conscience, and clearly this is another example of a bill which I cannot in good conscience support.

By definition, I have always felt that a bad law is a law that says it will do one thing but in fact does something entirely different. It has been a while since I have seen a law that abuses that principle as badly, that suggests that it is child-centred when in fact it is not.

First, I should say that this is not an easy problem to address, and the government has at least attempted to approach it. We may fundamentally disagree with its approach, and we on this side of the House have provided a considerable number of options for its consideration. Albeit they would be expensive, they would work. They would achieve what all members of this House have agreed would help the very children the bill affects, and the needs of those members of the families who do not feel they are getting adequate access to children would also be met.

The government refuses to look at that option. The government suggests rather that we can in a very simple way be one of the first provinces in Canada and one of the few jurisdictions on the continent to feel we can rush back to the courts and resolve this matter.

I object to this bill for three basic reasons, primarily because the bill is unnecessary in its intent. It does not do what it purports to do.

I am concerned, second, that it puts abused women and children at further risk, in terms of both physical and psychological harm, because of the access enforcement provisions.

Third, it will clog an already overburdened judicial system, which clearly is not the area of resolution of first choice for any of these families. It is adversarial and it is expensive, it is time-consuming and, in many instances, it is

quite confusing to the parties, especially the children.

Let me talk briefly about why this bill should be unnecessary. I believe that this bill is motivated by a political imperative. I think if we look back to the original Bill 60 which the Attorney General first presented and when we look at the explanatory notes that are provided with any given bill in this House, when that bill was originally tabled, the explanation was that as a result of the Support and Custody Orders Enforcement Act, it was necessary to regulate access availability for fathers who are now forced to pay support for their children as noncustodial parents.

In other words, this was basically a bill that said that because a noncustodial parent is now forced to honour the law, somehow there should be some compensation for being a good citizen. What I object to is that clearly underlying that kind of a rationale is that we are looking at children as a commodity, like chattels, in a marriage.

Someone who came before the committee said to us that in the 1970s and in the 1960s, it was really simple in divorce court because the battleground was over infidelity. The two parties, both with legal counsels, went at each other on ethics and morals. But in the 1980s, the courts have become a little more creative and families have been a little more resilient and now we seem to be putting children on the battlelines. Children are the item that is thrown up as the battleground between husband and wife; not property, but children.

I am somewhat offended by the fact that clearly this legislation continues to perpetuate that process. It does nothing to say: "Stop. In the best interests of children, stop. Let's look at alternatives to this. Let's stop forcing them into court." The government's failure to address just the simple point of reversing that trend is a ground in and of itself for people to say: "This is a wrong bill. Very wrong for children."

There is no real research to suggest that the direction the government is going in is well founded. As I referred to the Support and Custody Orders Enforcement Act, we had clear research evidence that there was 75 to 80 per cent default; and those defaults meant a lot of different things.

Those defaults meant that some families would have to seriously lower their standard of living, and some people could handle that, but in some instances this meant not having food on the table. In some instances, it meant that programs

that help a child grow and develop were now being denied to them, simple things such as being able to afford a pair of ice skates to go along with their school trip. Because of the separation and the nonpayment of these custodial payments there was not enough money, and simple things like that were a luxury. That was what that bill addressed.

The Attorney General had to recant his own explanation to this bill when called upon to do so because it was so abundantly clear that this was some sort of political tradeoff, because we asked noncustodial parents simply to honestly pay in accordance with the settlement, in accordance with the law.

I have been troubled by this bill, and sometimes I look at past examples or past parables, if you would. Someone who presented to the committee talked about the wisdom of Solomon. When he was faced with a dilemma that was somewhat similar with respect to dividing a sole child in a dispute on who really had custody of the child—we all know that Old Testament story and we all know what Solomon's decision was, but we also know that it was never ever intended for the child's life to be taken.

1640

In some instances, I cannot help but think that there has been a cruel irony played with this bill, that in fact the government would say: "Look, we will take that child's affections and that child's needs and we will divide them between two parents without due regard for that child's feelings. We will do that without due regard for the needs of a grandparent, who is not a participant in the domestic dispute." The wisdom of Solomon is sadly lacking in this Attorney General and is indeed seriously lacking in this bill.

There are other reasons why this bill will not work, and the public hearings bore out that evidence time and time again. It has been stated by my friend the member for Scarborough West that absolutely every single lawyer who came before us indicated that this will do nothing but clog our court system, that it is not child-centred as it purports to be and that it will force adversarial circumstances between custodial and noncustodial parents.

In that sense it is interventionist and it will promote further litigation. Again, it is going to force children as the focus, make them the battlefield in court, not remove them and let them feel that they are less responsible, that they are not pawns to be used between parents who cannot

seem to understand the importance of their child having as normal an upbringing as can be resurrected for them.

I have stated that the amendments are not child-focused and I cannot support them on that basis. What disturbs me is that this type of legislation is clearly written so that it gives primacy to access problems over other family law issues such as support and protection of children and spouses when domestic violence is involved.

This bill will allow a noncustodial parent to get into court in under three weeks; yet the custodial parent might take three to six months to get an enforcement officer to honour the financial responsibilities, to enforce the law with respect to support payments.

We are led to believe that whether the child is interested or not, it is important that that one parent gets his or her half-hour or hour that evening; that that somehow is more important than whether the custodial parent can make the rent and put sufficient food on the table or what sacrifices are being made in order to ensure that child does not feel he is somehow being punished because he cannot take a school trip or something else that may cost a little more money that month.

It seems wrong that we have created a situation where one bill has primacy over the other. That hurts children and it hurts the victims of violence in families and again, for that reason, it should be voted down.

We are told by many groups that the access problems are not as severe as some would have us believe. Earlier, I talked about the statistic and the research on support enforcement, that it was as high as 75 to 80 per cent. The best statistic we can get shows there is about one or two per cent of reported problems of access. In fact, it is a very small number.

We are told that for the new procedures which will be called upon by this bill, we do not have sufficient sensitivity on the part of the legal practitioners in order to handle it. I am talking here about the courts and the lawyers as well as those involved in custody cases in terms of how they can deal with this added responsibility to return to court.

There is a presumption in this bill that it is always in the best interests of the child to have contact with both parents. We clearly had evidence to the contrary, written evidence from children, psychologists and a whole battery of lawyers involved in family law and as it relates to violence.

My final point has to do with the fact that this bill creates significant evidentiary problems for our court system as well. If we look at some of the loose language used in this bill, the bill puts the onus of proof on the custodial parent: the one who, for very valid reasons, has been known to deny access. The bill puts the burden of proof on her. She must defend what the reasonable grounds were on which she denied access to the noncustodial parent. What are reasonable grounds when there is suspected physical violence? What constitute reasonable grounds when there is possible alcohol or drug impairment? What are reasonable expenses? Who determines these things?

The provisions in this bill are very loose, very vague and unworkable. I think that, as the member for Etobicoke-Lakeshore has indicated, we are all going to be back here within a year trying to unravel the mess of this bill based on our cautions, which we did not dream up. We got these from our public hearings. Our problem is that only part of the committee listened. The other half was told: "This is how the bill is going to be. If you believe it, it will work." The law does not work that way. The law in this case is definitely not going to work that way.

I think what is interesting is that the government failed to even listen to its own Ontario Advisory Council on Women's Issues. That is significant. One does not always get an advisory council disagreeing so strongly with the government that appointed it. We have been known to see groups modify their language to make sure that they do not upset the government of the day, heaven forbid. It is significant that the advisory council on women's issues felt so strongly about how wrong this bill was that it was compelled to write off its concern in no uncertain terms to the government and to the committee.

With the House's indulgence, I would like to read briefly from that letter. It was addressed to the then chairman of the standing committee on social development, the member for Brantford.

"The Ontario Advisory Council on Women's Issues believes that Bill 124 is not necessary and that it will adversely affect mothers. The overwhelming experience of separated and divorced mothers is that their major difficulty around access is with fathers who are unreliable and erratic in their exercise of access. Legislative concern should be for children who feel abandoned by fathers who come by to see them irregularly, if at all.

"A recent study conducted for the federal Department of Justice by the University of New

Brunswick sociologist James Richardson found that fathers did not report access denial as a major—or even minor—problem. Women generally see this bill as punitive, controlling, and an attempt to give access fathers something in consideration for the new support enforcement legislation.

“This apparent gender equality will in fact burden women disproportionate to the supposed harm to fathers, and will represent a regressive development in the area of family law. The entire concept of ‘compensatory access’ ignores the reality of children’s lives, which should be scheduled around children’s needs and responsibilities—not around the needs and schedules of controlling adults.”

It goes on to say it is not acceptable legislation and concludes by saying, “Bill 124 represents a grave threat to women and children, and should be rejected.” That was the advice from the Ontario Advisory Council on Women’s Issues. I think at this point 80 per cent of that council has been appointed by the Liberal government.

There are some clear recommendations which this government has chosen to ignore, and I would like to briefly share, for the record, what those recommendations should be. I should recognize at the outset the contributions made by the member for Markham, who spent a considerable time developing assurances for the grandparents, who were not parties to the dispute but who have been unfairly denied access to their grandchildren. I, for one, could not imagine, within my own family, my two daughters at any point not being able to spend time with their grandmother and their grandbubba, as my Amy calls her grandmother on my side of the family.

1650

It is not an issue that members on this side of the House took lightly, and in some instances we personalized, with our conviction and by listening, the need for certain protections in that area. The government has suggested that those were unnecessary and unwarranted. We all know what relying on promises for matters that go to the courts means in terms of law and in terms of comments in this Legislature.

The recommendation I want to suggest is that this government really had an opportunity—and I am very pleased that the Minister of Community and Social Services (Mr Sweeney) is in the House today, because I know of his long-standing commitment to children’s services and I respect how high that has been placed on his personal political agenda. But in fairness, we had a really good opportunity here to develop a

program which, by the minister’s own admission, was outstanding and met the needs and, as I said earlier, does come at some expense.

Clearly, it is in the area of solution where we can provide supervised access programs with pickup and dropoff centres so that the fears about violence, appropriate mediation for scheduling problems, all of these things, can be overcome by independent individuals, to ensure that the children are not buffeted around with excuse after excuse, which only seem to increase in their creativity, to the detriment of the child’s own self-esteem.

The programs that operate in this province, and we heard of many, do so without provincial funding, and yet when they come before our committee, this government chooses not to assist them to develop their programs. It chooses, in fact, to develop a piece of legislation that flies in the face of that kind of outstanding, sensitive, mediatory, supervised work that is going on.

I would like to go on in detail about the duty clause that is included in this bill as it relates to the victims of family violence. It is completely inadequate, and so is, I might say as a sidebar, any consideration by this government of its current mediation in family law matters with respect to victims of violence. I could not support that either.

It should be regulating and standardizing mediation services for this province. It should be requiring mediators to take adequate training to identify abusive relationships. Right now, we have a system where we put pressure on our school system to help identify them. We have social workers who come rushing in to interview all the family members, but where, really, is the commitment of this government to ensure that the people in the agencies responsible for these interventions are properly trained? There is no commitment in that area.

In this bill, we should have added that the wishes of the child should be listed as one of the reasons for denial.

Mr Black: Simply ridiculous.

Mr Jackson: I know the member for Muskoka-Georgian Bay is much exercised about the notion that children should have a say in anything. I, for one, might acknowledge his outstanding work on behalf of drugs. But the fact of the matter is the member is so exercised about my comment that children should be able to say no to drugs, yet he would not allow a child to say no to an inappropriate access in this province.

Mr Black: That is not what I said. Don’t mislead the people of Ontario. You did that a

couple of times. Don't do that again. Be honest and straightforward.

The Deputy Speaker: Order, please. The member will address his remarks through the Speaker, and there will be no interjections.

Mr Jackson: I am sure the member for Muskoka-Georgian Bay would like children to say no to drugs. We know there is legislation in this province so that children can say no. At an appropriate age, they can say no if they do not want to have an adoptive parent, yet this legislation denies completely the feelings of a child at any age in order to say that because of an abusive or a sexual assault, that child's feelings cannot be taken into consideration.

I would ask the member for Muskoka-Georgian Bay to reflect on that point, instead of interjecting. I know he understands the point I am trying to make as it relates to the work he is doing on his task force on drugs and their use by children in this province.

I would as well echo the recommendation that the judges in family law courts—and this is an appeal I have been making for four years—be given mandatory training in terms of family violence and in terms of becoming more sensitized to the issues of the changing dimension of family emotions as they relate to the emerging role of women in society and the horrifying statistics on family violence.

Judges should be more sensitized to the reality that is going on so that they can better deal with these matters and so that their rulings reflect a sense of real justice about the effects on the children and the spouse who is the victim of that abuse, both in physical and psychological terms. Nowhere do we get a commitment from this government that it is willing to address that issue. It will pay lipservice to it when there is an incident, whether it is the Kirby Inwood incident or any other. We clearly had an opportunity in this legislation to address that issue and it is a recommendation that I would again wish to put on the record.

I lament the fact that all members of this House had an opportunity to make some very appropriate amendments to this legislation, to enhance family life for those who have seen it interrupted in an inappropriate way, to provide services to respond to the real need, but unfortunately, as I have stated, the public hearings did not work out to be an opportunity when the governing party, at least, chose to respond to those suggestions.

I am afraid that for me the bottom line with this bill is that it is going to clog our courts and it is going to confuse children who already have gone

through tremendous upheaval and disruption and confusion about their place in family life.

I believe we will be called upon to undo this legislation at least within a year. We now know that the support enforcement legislation is bogged down with insufficient numbers of staff to do the enforcement; enforcement officers, in other words. I believe as well that our courts will soon become bogged down. In the past, many families have chosen not to rush back to court because they recognized it for what it really was: an expensive legal operation that only put the child in the forefront once more. But this legislation compels them to do that. One of two parties will be compelled to put the process back into the courts.

I would like to commend the member for London North (Mrs Cunningham) who, prior to her coming to this Legislature, had dedicated a considerable amount of her public service to the whole area of mediation in family law matters. It is unfortunate that the House has not seen fit to take the advice of she and others who have provided examples and insights as to what the problem is and where the solutions really lie.

In conclusion, let me just say that I will be voting against this bill and would urge all members to vote against this bill, to send it back to the Attorney General in order to have addressed the objectives that we clearly stated are what should be addressed and to have him come back with proper legislation. My conscience prevents me from voting for the bill because I truly believe that children will be harmed by the added legal process because there will be occasions when custodial parents, faced with the opportunity, hauled in front of a judge, will be forced to do so because of their compassion for their own children.

No parents should ever be put in a position where they have to face their conscience to answer the question of whether or not they should face the law or do something in the best interests of their child. It seems to me that this law clearly is testing that intrinsic value within a custodial parent. It is unfair to them emotionally and it is unfair to them morally.

1700

Mr Hampton: I wanted very much to take part in third reading of this bill not because I think this legislation is worth anything. In fact, I think it is perhaps in some ways the worst legislation I have seen produced by this government. I say the worst legislation because you would think that in matters of the family or matters of children, some of the government members would have said to

themselves, "It's more important here that we do the right thing than it is that we simply follow the government's line."

It became painfully obvious in the committee hearings that some of the government members, even though they would acknowledge privately and some even acknowledged in the committee that they did not like the legislation, simply fell into line. We had these very odd situations where a government member, having listened to the submissions made by women's groups, by family lawyers and so on, would actually propose amendments to the legislation, amendments which they thought would make the legislation better legislation. Then they would be called upon by the government's whip on the committee or the other government members on the committee to abandon their own amendment, to vote against their own amendment after having given an eloquent speech denoting why the amendment was appropriate and why it was necessary. They would vote against their own amendment and kill what they in themselves thought was in the best interests of the legislation.

What we have here, I am convinced, is legislation that some of the government's own members do not like and do not believe in. But they have been told that they should put their individual views aside and that they should put aside what dozens of women's groups and what dozens of family lawyers who came to the committee said: "Look, this is bad legislation." They are being told to put all that aside.

For me, that is very sad. It is a very sad situation when you are a government member and you have sat on the committee and you know you are passing legislation that is bad legislation, but the word has come down from on high, again: "Forget about whatever you have heard in the way of committee submissions. Forget about whatever women's groups or family lawyers have told you about this legislation. Forget all about that. Just toe the government line." It is a very sad situation, indeed.

We could probably be here for a couple of days reciting, chapter and verse, everything that is wrong with this legislation, but I want to just concentrate on the main areas, the main gems, the real gems that are in this legislation that are probably going to cause more problems in the area of family law and, as my colleague the member for Etobicoke-Lakeshore has said, will probably bring us back into this Legislature a year from now to repair the damage that will be

done by this bill when it is finally enacted into legislation.

I am told by other members who have been here a lot longer than I that this bill has engendered comments from individuals out there who, a few short years ago, would have thought it most inappropriate to comment on legislation. I am speaking here of provincial court judges.

It is most unusual when a standing committee—in this case, the standing committee on social development—receives from a provincial court judge a letter saying to the committee, "This legislation is bad legislation." It is almost unheard of in the history of Ontario legislation and Ontario political activity that a judge would write to a legislative committee as somebody who is going to have to deal with it or work with it and say: "I understand you are looking at this legislation. I want to tell you it is garbage."

It takes a lot, I would say, to move a provincial court judge, who ordinarily would not comment on legislation and who would observe the conventions of neutrality and of no comment, to actually write to the committee that is considering the bill and say to that committee, "You had better have a look at this bill again, because it is bad stuff."

I want to quote just some of the comments from Judge Nevins's letter because they delineate very clearly what is so wrong and mistaken about this legislation. In his opening remarks Judge Nevins says, "I am writing to you as chairman of the law reform committee of the Ontario Family Court Judges Association." Not only does he have the general interest that a provincial court judge would have, but he has the special interest as chairman of the law reform committee of the Ontario Family Court Judges Association. How much more directly does the government want to get it?

He says he is writing at the request of the board of directors of the Ontario Family Court Judges Association, not on his own initiative. So he is voicing not only his concern, but the concern of a lot of other provincial court judges out there.

He says, "Although we have had discussions with representatives of the ministry in the past regarding this bill, we understand it is approaching the stage of final reading..." and they want to get their comments on the record once again." Obviously, the provincial court judges, dealing quietly and internally with the Ministry of the Attorney General, had absolutely no success in pointing out to the government what was so wrong with this legislation.

Judge Nevins further says, "Our interest is solely that of 'users' who would like you to consider the practical implications of the bill as it now stands"—practical implications in the sense of what it is going to mean for court procedures, for families and for children—"since our concerns centre mainly around section 35a and they fall into two categories of the practicalities of the proposed hearing process."

To repeat it again, this bill proposes the most unrealistic and most deceptive statement, I would say, as to when hearings can be held. It promises to the public that it can have a hearing in 10 days. When a judge, who is the chairman of the law reform committee of the Ontario Family Court Judges Association, writes to the committee and says, "Look, it is totally unrealistic," somebody should have listened.

1710

He says, "The bill proposes that in the event of an alleged wrongful denial of access a motion may be brought on, and if it is, it shall be heard within 10 days after service." The legislation says that 10 days after service, you will have a hearing. He says, "The difficulty we see is how to administratively accommodate these motions within a 10-day period." In the larger urban centres—and I do not think we need to repeat this, but maybe we need to repeat it for the Attorney General because he is the only one in the province who does not seem to know this—the backlog in the courts is so severe that you can't possibly have a 10-day hearing.

That is what is so deceptive, putting out in legislation and saying to people that they can have a 10-day hearing when anybody who knows about the practicality of the court situation knows that is just not realistically possible. The backlog is too long. Deception—that is what it is.

"In the larger urban centres, court dockets are usually filled well ahead of time and the prospect of having to entertain a motion without having the discretion to adjourn it even on the consent of the parties would inevitably mean that other cases which have been set down and waiting for some time would have to be moved off the docket."

They are going to compound a difficult situation. They are going to make it even more difficult to get justice out of our provincial court system. That is what this bill is going to do.

I want to speak on behalf of all those Ontarians who are not fortunate enough to live within 60 miles of Toronto the great, because in my neck of the woods, you do not have enough provincial

court judges to go around and so you may wait three weeks before the family court sits again.

The judge points this out. He says, "An even more difficult problem to resolve would be the courts in outlying areas, where the judge on circuit often does not even sit in the court more often than once a month or longer."

I know some of those areas. The judge is entirely accurate. That is the case. All across northern Ontario you have communities where the family court only sits once a month, if then.

He goes on, "Therefore, if an access motion must be heard within the 10-day period, this would involve either postponing the sitting in another court for a considerable period of time, or requiring the parties to travel a distance to an area in which there is a court sitting within the 10-day period."

He says, "I am sure you can appreciate that in the northern areas of Ontario this could be a monumental inconvenience to the parties and may frustrate the whole purpose of the proposed legislation."

Again, this is not a partisan comment. This is not an angry father who has been denied access. This is not a mother who is concerned about this bill. This is not somebody with a vested interest in wanting to keep access to the child or wanting to keep custody of the child and deny somebody else access. These are the very people who are going to have to work with this legislation and they are saying to the government that it is garbage and it is deceptive.

It is deceptive because it is saying to people that they can have something in law yet, when we look at the practicalities of the situation, it is not there and it is not anywhere near being there. But the government has not listened. It will not even listen to provincial court judges who have to work with this legislation.

It is not just that clause that is so impractical and so deceptive and, I will argue, so harmful to our justice system, so harmful to families, to parents, to divorced and separated parents and so harmful to children. It is not just that section.

Let's just go on. One of the other wish lines—and I say it is a wish line—in this legislation is that hearings shall be oral hearings. In other words, when you have one of these 10-day wonders, the hearing will be conducted orally.

Women's groups, social workers, family lawyers and now the family court judges association will all tell us that in an area that is so ridden with conflict as this area of family law is, with fights over custody of children and access to children, emotions often become frayed, people

often become angry, people often get into very deep and serious conflicts. The last thing you want to have in those situations is an oral hearing, where the divorced spouses or the separated spouses must sit across from one another or near to one another and have to bear the discomfort and the conflict of listening to each make allegations against the other.

I have dealt with some of those situations in the courtroom. I have seen one spouse on the witness stand talking about how awful the other spouse is. I have seen the other spouse get up in the courtroom and holler "liar" and tell everyone in the court that it is a sham, a put-up job, a joke and that there is no justice there. I have seen that time and time again.

What this legislation promises to do is to recreate that a dozen times over. I invite members to just think. If we could bring the television cameras into the courtroom, we could have, every day in living colour, more drama and less justice. That is what is happening here. Nothing is more absurd, nothing is less concerned with human emotions and the realities of human interaction than this clause in this bill: "There shall be an oral hearing."

Just to confirm, I want to quote His Honour Judge Nevins again. He says:

"An ancillary concern is the fact that these motions are to be heard on the basis of oral evidence only. The practice that is almost universally accepted in all levels of court in this province is that motions are determined on the basis of affidavit evidence because it is more expedient than oral evidence. Our experience in dealing with cases such as these is that they rarely involve one single issue but rather involve a history of events which must be properly considered to determine the case.

"It is our opinion that motions determined on oral evidence would be considerably more lengthy than those based on affidavit evidence. It should be noted that the court may grant leave to file affidavits, but this of course depends on one or more of the parties requesting such leave...."

When the chairman of the Ontario Family Court Judges Association, someone who has to try to get justice out of this mess, who has to try to patch things together for former spouses and children, writes on behalf of the board of directors and says to the government, "This won't work; this is bad; this is not the way to do it," one would think that a responsible government might sit back and listen. One would think that a responsible government might sit back and say: "Maybe we are really doing the wrong thing

here. For once in our two-year reign, maybe we ought to abandon political expediency and listen to what somebody out there, acting in good faith, is trying to tell us."

But does this government listen? No, not for one second. Their attitude is: "We've got our big majority. No matter how bad the legislation is, no matter how much havoc it wreaks, no matter how numerous the people are who tell us it is bad legislation, no matter how legitimate their position may be, no matter what their credentials are, we have the large majority and we are going to do it." That is what is happening here, and I say "shame" on the whole lot of them.

It was not only the Ontario family court judges association. I say again that it is almost unheard of in the political process of Ontario that a judge would abandon political neutrality and the conventions of silence and write to a legislative committee and say: "This is bad legislation. Please reconsider it. Please do something else." It is unheard of in the political history of this province. Yet this government is doing it.

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Just to show that the provincial court judges are not out in centre field somewhere lost, I want to make reference to another body, the Ontario Advisory Council on Women's Issues. This is not some fly-by-night operation, some body that pops up when a particular piece of legislation hits the floor and rants and raves. This is a body which has some considerable merit and legitimacy in Ontario. What did that group say? On 24 April 1989, they wrote to the chairman of the standing committee on social development and said, "The Ontario Advisory Council on Women's Issues believes that Bill 124 is not necessary...." What else did they say?

Let's just go through some of the particular clauses. Specifically, they refer to section 1, adding subsection 4a. What does subsection 4a say? It says:

"Where the parents of a child live separate and apart and the child is in the custody of one of them and the other is entitled to access under the terms of a separation agreement or order, each shall, in the best interests of the child, encourage and support the child's continuing parent-child relationship with the other."

This section states point-blank that it shall be in the best interests of the child that there shall be access. It creates a presumption that that is always the case. It creates a presumption that the custodial parent shall, because it is in the best interests of the child, promote a relationship with

the other parent even if it is clearly not in the best interests of the child.

The Ontario Advisory Council on Women's Issues says:

"The vast majority of custodial mothers fully appreciate the importance of continuing contact between their children and a noncustodial father. However, a legislative requirement will simply give abusive men enhanced means of controlling and abusing custodial mothers and children because it would override bona fide maternal judgement about the impact of allowing an abusive man access to their children or even their wives."

Another very legitimate organization says that this government is totally off in the wrong direction. They go on and point out three or four other sections of this bill which are totally inappropriate and will lead to more difficulties and conflict and to less justice than we have already.

For example, let's look at some of the other aspects. The bill refers to supervised access. It says that one of the possible remedies where one has differences as to how access should be exercised is supervised access. It says to do it that way. Supervised access would be fine if we had supervised access centres in this province. We had a couple, one of which was a pilot project financed by the Ministry of Community and Social Services in the minister's own riding in the Kitchener-Waterloo area. That ministry jerked out funding for that pilot project. It just shut it down earlier this year.

I can tell members why some of the women's groups think that the Ministry of Community and Social Services shut down that pilot project. They believe that the Ministry of Community and Social Services shut down that project because the ministry does not want to be left holding the bag when this legislation becomes law.

What women's groups see happening when this legislation becomes law is more and more severe conflicts about custody and access, which will mean a greater and greater need for supervised access centres. The Ministry of Community and Social Services knows that if it has one centre operating, it will be the focus for all kinds of public lobbying to create more centres, and the ministry does not believe it has the money. Even the Ministry of Community and Social Services knows this is a bad bill and will be a bad law, so it wants to create a scorched earth position so that it does not have to pick up the pieces after this becomes law. That is what happened to the one supervised access centre.

There was another supervised access centre in Metro Toronto. That supervised access centre has been arguing with this government for the last two years for government funding. They present impressive statistics on their success in co-ordinating and promoting supervised access; they have produced letters of recommendation from provincial court judges from across the greater Toronto area; they can give letters of recommendation from some of the most experienced family law lawyers in the Metro area, and they can show you letters of recommendation from male and female former spouses alike who have worked with the Lakeshore Area Multi-Service Project and with Access for Parents and Children. They can show you all this. The government would have none of it; the government would not fund them.

Here we have a bill that says, "One of the remedies to this mess is that we shall have more supervised access." Yet the government has allowed the only two bona fide supervised access centres around to go out of business. That is more deception, saying to people that there is something there that can help sort out this mess, that there is something there that can help remedy the situation, something there that will help parents and help children achieve justice. It is not there. The government passes it in legislation but the money to do it is not there, so we have that deception.

The bill talks about supervised access, yet there is none. In fact, where there was some only a few short months ago, there is less help. The government may say, "You can deal with supervised access at children's aid societies; children's aid societies will do it." Children's aid societies routinely turn down requests for supervised access in these situations. They want nothing to do with these kinds of situations.

What you have across this province is former spouses exercising access in police stations or exercising access in lawyers' offices or exercising supervised access with supervision provided by people who have no idea what they are supposed to be supervising or how they are supposed to be supervising it. This is this government's idea of how to deal with a very serious problem involving children, to say to the public, "In this bill something is being taken care of," when that is not in fact the case at all. That is why I find this such a sad situation.

The government has been told over and over again that this is bad legislation, that it is going to make matters worse, not better, to withdraw it, to change it, to get back to the drawing boards.

Women's groups, family law lawyers, I say again, the Ontario Advisory Council on Women's Issues and, finally, family court judges are writing to the government and saying: "This won't work. Do something else."

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It will pass. The opposition clearly does not have enough members to stop it. Heavens, we would not want to stage a delaying action. The government House leader might throw another temper tantrum and might tell us we are all bad children ourselves because we want to stop some legislation that is absolutely horrendous. So we had better not delay this unduly. We would not want to see the government House leader throw another temper tantrum.

It will pass. It will become law. It will become bad law. More families will have more difficult times and more children will find themselves in difficult situations. But the government has the majority and it can do whatever it wants, no matter how wrong it is and no matter how many legitimate groups in Ontario society tell it that it is wrong.

Let the government have its way. Let the government pass legislation that everyone else who is connected with the situation knows to be bad legislation. Let them have their way. We will be back here a year from now trying to repair what the government has done, but in the meantime a lot of damage will be done to a lot of children. A lot of frustrated former spouses out there will be more frustrated and angry, and I predict it will be a lot more difficult to get justice out of our courts than it is already. But as I said, let the government have its way.

Mr Offer: It is a pleasure for me to rise in support of this particular piece of legislation. As I indicated at the outset—I believe it was either at second reading or in the standing committee on administration of justice—in this piece of legislation we are dealing with a crucially important piece of legislation, which is important not only to all members of this Legislature but indeed to many people outside this Legislature and throughout this province.

We are dealing with a particular aspect of the law that is at once legally vexing and in other points psychologically and socially vexing. However, it is the responsibility, the obligation and the duty of the government to respond to aspects of the law that require correction, and that is what this bill is about.

We have heard a lot of talk about whether this particular legislation comes to grips with the best interests of the child. What we have to remember

is that in this piece of legislation we are dealing with an order that has been made by a judge in the best interests of the child.

That judge has taken into account a number of factors contained within the Children's Law Reform Act, factors such as the love, the affection and the emotional ties between the child and each person seeking custody and access. He has taken into account the child's views and preferences, if they can be ascertained. He has taken into account the length of time the child has lived in a stable home environment. He has taken into account the ability and willingness of each person seeking custody to provide the child with guidance, education and the necessities of life, and indeed to meet any special needs of the child. He has taken into account the permanence and stability of the family unit with which it is proposed the child will live.

After taking into account not only these aspects but others, the court has ruled that custody is to be awarded to one person and access to another. That is the court's order in the best interests of the child.

After that order and only after that order, we are now dealing with these particular amendments, because we have to ask ourselves, where an order has been made in the best interests of the child, where custody has been awarded to one and access to the other, and it comes to the government's attention that the enforcement proceedings for those access orders are not sufficient to meet the needs of the persons who have been so awarded access, then it becomes the responsibility and obligation of the government to act, and we have. The ministry has. The Attorney General has acted so that those orders for custody and access made in the best interests of the child, as I have indicated earlier, are able to be enforced.

This bill seeks to achieve a number of goals. It seeks to minimize the use of children as pawns in disputes between their parents. It seeks to provide a speedy and nonexcessive means by which access difficulties can be determined by the court, including guidelines for the determination of a wrongful denial of access. I stress that those are orders that have already been made by a court in the best interests of the child.

This legislation seeks to emphasize that the best interests of children are met through ongoing opportunities to learn from both parents, as is each child's right. Where a court has made such an order that custody is to be awarded to one and access to be awarded to another, it is this particular legislation that is designed to seek to

build the framework upon which that order made in the best interests of the child can be enforced, because to do so is in fact in the best interests of the child.

It is to provide, through this legislation, enforcement tools other than jail sentences and fines in order to enforce those access orders, because it is known that those particular enforcement tools now available through contempt of order and the purging of contempt, which may result in jail or a fine, are largely not used, and they are not used. Because of that, there results the whole feeling and the knowledge that those access orders are not enforceable. This legislation seeks to correct that. This legislation seeks to create a remedy for the enforcement of those orders which, as I have indicated earlier, have been made in the best interests of the child.

The bill also specifically addresses this government's concern with domestic violence in families in Ontario, and I have spoken earlier on this. There are specific words to a judge in this legislation. We have moved that in determining the best interests of the child, the ability of each person seeking custody or access to act as a parent must be taken into consideration and that—we must not forget this—“in assessing a person's ability to act as a parent, the court shall consider the fact that the person has at any time committed violence against his or her spouse or child, against his or her child's parent or against another member of the person's household.”

Through these amendments to the legislation, what we are doing is saying to a court in a very specific and focused way that in dealing with the ability to act as a parent, you must take into consideration the fact that violence has ever occurred.

We are, in this legislation, moving away from the only enforcement tools, contempt and the purging of contempt, which are widely known not to be enforceable, and we are moving towards four types of orders: first, compensatory access; in other words, if access is denied, then the person who has had that access denied can come before a court to ask for the time that was taken from that person. Let's always keep in mind that the order which gave that person access in the first instance was done in the best interests of the child. That is the driving and motivating force in this legislation.

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Second, in being denied access, if the particular access party was put out in terms of expenses and if determined by the court, he or she would be able to be reimbursed for those reasonable

expenses actually incurred. That is new in this legislation and we believe will provide an enforcement remedy that will make certain those orders, made in the best interests of the child, are enforced.

The third and fourth remedies deal with supervision and mediation. That is currently what is within the jurisdiction or the discretion of the judge, and we want to make certain it is within the discretion in terms of access enforcement.

We have heard talk about the legitimate reasons for denial of access. Within this legislation, there are legitimate reasons indicated for the denial of access. There are eight such reasons, but as I and the Attorney General have indicated many times, these reasons are not meant to be all-inclusive. They are meant to be eight of the most commonly heard legitimate reasons for denial of access, but under no circumstances are they to be taken as being the only possible reasons for the denial of access.

This legislation does not just talk about the right of a person who has been granted access to have that access enforced. This piece of legislation, in its first section, builds a new legal foundation that says that where there has been such an order, again in the best interests of the child, “each shall, in the best interests of the child, encourage and support the child's continuing parent-child relationship with the other.”

It will no longer be sufficient for a person who has been awarded access not to be able to exercise that access. There will be a right of enforcement upon the custodial parent, to that person who has been awarded access, to exercise that access, because in using the words of this legislation, this will “encourage and support the child's continuing parent-child relationship with the other.” That is in the best interests of the child, that ongoing, continuing relationship with each parent, one, yes, who has been awarded custody, but, yes, the other who has been awarded access. It will, when exercised, work in the best interests of the child because it is in the best interests of the child to have continuing co-operation, a continuing relationship with each parent.

This legislation is designed to accomplish that. We believe it does. We believe it is a new legal foundation in terms of the right of a custodial parent to go to court, in terms of a parent who has been awarded access and is not exercising access. Yes, it is new, but yes, it is absolutely necessary, and yes, the beneficiary of this new

legal foundation will be the child. We think that is right.

We have heard talk about the remedy based on oral evidence. I think some members have already alluded to that. The legislation—I will just quickly move to that section—states: “The motion shall be determined on the basis of oral evidence only”—I would like to read the last part of that section, which states—“unless the court gives leave to file an affidavit.”

There is the opportunity for the filing of affidavit evidence, so the concerns raised are able to be approached. In the first instance, certainly, we want this matter to be dealt with as quickly as possible. The way it can be done is through oral evidence. But there is also the discretion of the judge that where the circumstances merit, affidavit evidence can be entered. That just happens to be the way this particular legislation is drafted, framed and, I trust, passed.

As I have indicated, this bill addresses the rights of a child in terms of access orders, custody orders being made in the first instance in the best interests of the child. What this legislation is designed to do is to provide a mechanism, a framework, in which those particular orders can be enforced, because to enforce those orders and to have those orders enforceable in a real way is in the best interests of the child.

This particular legislation specifically speaks about this government’s concerns about domestic violence. The bill contains provisions in that respect: first, as I have indicated, through subsection 24(2), upon any motion for enforcement under the new remedies, the court must consider the child’s best interests. The best interests test now directs the court to consider each person’s ability to act as a parent when making any order with respect to the child.

Second, yet carrying on from that, in assessing the ability to act as a parent, the court must now consider “the fact that the person has at any time committed violence against his or her spouse or child.” Consequently, the court is given a mandatory direction to consider any evidence of domestic violence on motions for enforcement.

Third, legitimate excuses for denying access are directly related to domestic violence through the belief of the custodial parent “on reasonable grounds that the child might suffer physical or emotional harm” or that the custodial parent “might suffer physical harm if the right of access were exercised.”

It is through these amendments that we seek to provide a speedy and inexpensive means by which orders of custody and access made in the

best interests of the child can be determined by the court and to provide the court with an enforcement tool other than just contempt, the penalty of which is fine or imprisonment, the end result of which is known by all those practising at the bar as totally unenforceable.

We believe that this legislation embraces that the best interests of the child are met through the ongoing opportunities to learn from both parents, as is each child’s right. That is what this legislation is designed to do; that is what this legislation is designed to accomplish; that is the framework that this legislation has built. This legislation is designed to provide a mechanism in which orders made in the best interests of the child, both as to custody and to access, are enforceable and the continuing ongoing relationship between those persons who have been awarded custody and access are ones that will serve the child in his or her best interests.

I ask all members of the House to support this legislation, because the legal foundation upon which it is founded is one which will serve the best interests of the child.

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The House divided on Mr Offer’s motion for third reading of Bill 124, which was agreed to on the following vote:

Ayes

Adams, Ballinger, Beer, Black, Bossy, Bradley, Callahan, Carrothers, Chiarelli, Cleary, Collins, Conway, Cooke, D. R., Cordiano, Dietsch, Eakins, Elliot, Elston, Faubert, Fleet, Fulton, Kanter, Keyes, LeBourdais, Lipsett, Lupusella, McClelland, McGuigan, McGuinty, Miclash, Morin, Neumann, Nixon, J. B., Offer, Owen, Pelissero, Polsinelli, Poole, Reycraft, Riddell, Roberts, Sola, South, Stoner, Sullivan, Sweeney, Tatham, Velshi, Wrye.

Nays

Breaugh, Bryden, Cooke, D. S., Cunningham, Cureatz, Eves, Grier, Hampton, Harris, Jackson, Johnson, J. M., Johnston, R. F., Kormos, Laughren, Mackenzie, Martel, Morin-Strom, Philip, E., Rae, B.

Ayes 49; nays 19.

CARABRAM

Mr Callahan: On a point of order, Mr Speaker: This morning when I invited all my colleagues to a reception for Carabram I did not give them the room number. It is room 247 and I hope they all come down and meet the fine constituents from my riding.

The House adjourned at 1803.

ERRATA

No.	Page	Column	Line	Should read:
26	1344	2	34	<p>Section 2:</p> <p>The Chairman: Shall section 2 carry?</p> <p>All those in favour will please say "aye."</p> <p>All those opposed will please say "nay."</p> <p>In my opinion, the ayes have it.</p> <p>Section 2 agreed to.</p> <p>Section 3: The Chairman: Shall section 3 carry?</p> <p>All those in favour will please say "aye."</p> <p>All those opposed will please say "nay."</p> <p>In my opinion, the ayes have it.</p> <p>Section 3 agreed to.</p> <p>Section 4:</p> <p>Mr Kormos: I wonder if the parliamentary assistant could explain what section 4 is all about. I am particularly concerned about the hundreds of courtroom attendants paid for by the sheriff's office in district courthouses across the province, because they are concerned about the fact that the shift in responsibility for security is going to result in their losing jobs.</p> <p>These are a lot of good, hard-working people across the province, many of whom have already served their community and their province well in any number of types of jobs and who continue to serve their community and their province well with dedication, with commitment and with integrity in what is sometimes an unattractive and certainly not a well-paying job, but one around which they have structured their lives and their goals and so on.</p> <p>As I say, the question that has been asked of me so often is, "Is this bill going to result in us losing jobs?" It would appear that the amendment of the Courts of Justice Act that is included in section 4 here would be addressing those good people. I would be pleased to have the parliamentary assistant explain to them now that the reason why section 4 is here is so that he, the parliamentary assistant, and the Attorney General can promise each and every one of those people that not one of them is going to lose his job as a result of this bill.</p> <p>Mr Offer: The member is talking to an amendment which was moved by the government during clause-by-clause debate in the standing committee on administration of justice. There was a concern raised, where we were moving the responsibility of the decision-making</p>

on the security of courtrooms to the local police forces, about what would happen to those particular persons who might be providing some security function at that point, but in the main providing a decorum type of function. Would they be impacted?

We have moved this amendment to make it clear that those persons—we have added the words “court attendants”—who are providing the decorum functions throughout the courtrooms shall continue to do so. Those types of functions include, for instance, directing persons to particular courtrooms

26	1344	2	43	The Chairman: Are there any more
26	1344	2	51	The Chairman: Does the member for
26	1345	1	3	The Chairman: I do not know about
26	1348	2	21	control problems.”
				That is how the Canadian Cancer Society, the
26	1348	2	29	This legislation is a farce. It does nothing to
26	1348	2	31	really give a licence for smoking in the work-
				place.

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

ONTARIO ADVISORY COUNCIL ON WOMEN'S ISSUES

12 Mr Jackson: Would the minister responsible for women's issues list all dates between 1 January 1988 and 23 February 1989 on which he met with the Ontario Advisory Council on Women's Issues? [Originally tabled 27 February 1989. Tabled 26 April 1989]

Hon Mr Sorbara: Meetings with the Ontario Advisory Council on Women's Issues between 1 January 1988 and 23 February 1989: 24 March 1988, council and Coalition on New Reproductive Technology; 11 May 1988, council and Intercede; 10 June 1988, council conference on motherhood; 27 September 1988, council meeting; 16 February 1989, council and Social Assistance Review Commission.

13 Mr Jackson: Would the minister responsible for women's issues list all dates between 1 January 1988 and 23 February 1989 on which he met with the president (or acting president) of the Ontario Advisory Council on Women's Issues? [Originally tabled 27 February 1989. Tabled 26 April 1989]

Hon Mr Sorbara: Meetings with the president (or acting president) of the Ontario Advisory Council on Women's Issues between 1 January 1988 and 23 February 1989: 15 February 1988, 11 May 1988, 23 June 1988, 10 August 1988, 25 January 1989.

VICTIMS OF CRIME

21 Mr Jackson: Would the Minister of Community and Social Services state whether he believes that a victim of violent crime should have the right to receive notification whenever her or his assailant escapes, receives day passes or is released from the custody of the ministry? [Originally tabled 27 February 1989. Tabled 26 April 1989]

Hon Mr Sweeney: The disclosure of information regarding a young offender who falls within my ministry's jurisdiction is governed by sections 44, 45 and 46 of the federal Young Offenders Act.

Under section 44.1(5), the act authorizes disclosure of information to victims upon request. This provision permits the release of any information kept by the ministry, or by agencies providing service for the ministry, regarding young offenders. This includes information concerning escape, temporary release or release

from custody, either as originally scheduled or as a result of court review.

Under existing policies, the ministry informs the police when a young offender escapes from its custody. The ministry is currently developing policies to formalize the notification of police on a routine basis regarding the use of temporary releases. These policies will be implemented as soon as possible.

In accordance with accepted legal principle, the ministry believes that, in general, a young offender who has completed his or her disposition has the basic right to re-enter the community without further intrusion. In cases where offenders have completed their custodial dispositions and a potential for difficulty exists, ministry staff endeavour to provide appropriate follow-up support.

The police determine, according to each individual case, which steps they need to take to protect any victims from further interference from offenders.

Ministry probation staff routinely contact and invite victims of serious offences (whether violent or nonviolent offences) to participate in the preparation of victim impact statements for use in court hearings. In such instances, victims are informed of court dates and are given the opportunity to have their views taken into account at the time of the court hearing. The ministry remains committed to the consideration of victim impact throughout the disposition process for victims of serious offences.

The federal government is currently examining the approach of criminal law to the victim. The ministry will continue to monitor this process and any recommendations and legal changes which may result.

22 Mr Jackson: Would the Minister of Correctional Services state whether he believes that a victim of violent crime should have the right to receive notification whenever her or his assailant escapes, receives day passes or is released from the custody of the ministry? [Originally tabled 27 February 1989. Tabled 26 April 1989]

Hon Mr Ramsay: The ministry does not at the present time have a corporate policy on the release of information to victims. Victims, in this regard, are not awarded any special status and are seen as third parties for the purpose of the

Freedom of Information and Protection of Privacy Act.

At the present time, the Ministry of Correctional Services does not proactively notify the victims of violent crime of the pending release of an offender.

In the case of an offender who escapes from custody, the appropriate police and other authorities are notified.

The ministry is examining the release of information to victims, upon the request of the victim, as part of the government initiatives in the area of victims.

The Ontario Board of Parole is currently drafting a policy which will detail the circumstances under which information regarding the release on parole or denial of parole of an offender can be released to the victim as well as the type of information that may be released.

In addition, this policy will detail the role that a statement to the board by the victim of the offence will play in the parole board deliberations regarding the offender's release on parole.

The Freedom of Information and Protection of Privacy Act provides for specific restrictions that apply to the release of information to third parties. In releasing information, the ministry must remain cognizant of the provisions of this act.

In the opinion of this ministry's legal services branch, the ministry may release the following information: the fact that the person was charged, convicted and sentenced, and the dates; what the sentence was; the fact that person received parole; the nature of the current offence; the parole eligibility date; the final warrant expiry date; the decision of the Ontario Board of Parole; the standard conditions of parole; the place from which the person was released after he or she has been released (not before or during the release); the earliest possible date for a particular parole hearing; the latest possible date for a particular parole hearing; the reasons for the board's decision in general terms.

In addition, further information may be released only if it is judged not to be unjustified invasion of privacy. Information of this form may include the general destination of the offender following release, the specific date of a parole hearing, the date of release on parole, specific details of the board's decision and the place from which the offender will be released (before the release occurs).

To enable the release of this type of information, the offender must be notified of the request for this information and be provided with the

opportunity to argue against the release of the information.

COMMUNITY SERVICE WORKERS

66 Mr Runciman: Would the Minister of Community and Social Services advise the House if the government has any plans to increase the wage level of community service workers to a level comparable to that received by their counterparts working in a provincially operated facility, since in the constituency of Leeds-Grenville a residential worker with the local community living association earns \$6.15 per hour, whereas a government employee working only 30 miles away at the Rideau Regional Centre, doing comparable work, earns \$12.28 per hour, which represents a wage difference of 99.6 per cent. [Originally tabled 20 February 1989. Tabled 4 May 1989]

Hon Mr Sweeney: On 17 May 1989, the Treasurer (Mr R. F. Nixon) earmarked funding in the provincial budget for social service employees who work directly with children, adults and families in communities across Ontario.

On 23 May 1989, I announced that \$88.8 million would be provided to improve the rates of visiting homemakers and to increase incomes of the following groups: workers who assist people with developmental disabilities; workers who provide attendant care to people with physical disabilities; community staff working with young offenders, and individuals who assist victims of family violence.

The minister will direct these resources to support agencies in which wages are lowest and will concentrate efforts on front-line workers. This should allow community agencies to retain experienced employees and deliver services more effectively as a result. I believe that increased compensation will also make community agency jobs more attractive to students considering career opportunities in the field of social services.

My ministry is working with provincial organizations to develop a framework and process for the distribution of these new funds. The government first needs to identify staff numbers and corresponding salary levels in target group agencies in order to plan for the allocation of the funds across the identified service sectors. The development of the framework and process has begun and the incomes of workers will be increased effective September 1989.

While I am aware that the new resources do not address all compensation issues for community agencies, I believe they constitute a major step in that direction. Please be assured that the ministry will continue to work towards stability within Ontario's community social services network.

67 Mr Runciman: Would the Minister of Community and Social Services inform the House if he has withdrawn his support for the effective implementation of his ministry's multi-year plan, Challenges and Opportunities, and if not would he share his implementation strategy and indicate whether or not it addresses the wage comparability issue between community service workers employed by transfer payment agencies and workers employed by his ministry working in provincially run institutions. [Originally tabled 20 February 1989. Tabled 4 May 1989]

Hon Mr Sweeney: My ministry remains dedicated to supporting Ontario's multi-year plan, as outlined in the ministry document entitled Challenges and Opportunities. The philosophy, direction, principles and long-term goals of this document provide the basis for both the strategic planning and the development of operational workplans within the ministry and within the community network of transfer payment agencies.

In the first three years of the multi-year plan, my ministry is providing \$77 million in new funds to support, enhance and expand services to developmentally handicapped people and their families. The ministry will continue to provide additional funds over the next four years to support the pursuit of the goals outlined in Challenges and Opportunities.

On 23 May 1989, I announced that \$88.8 million would be provided to improve the rates of visiting homemakers and to increase the incomes of the following groups: workers who assist people with developmental disabilities; workers who provide attendant care to people with physical disabilities; community staff working with young offenders, and individuals who assist victims of family violence.

By targeting support agencies in which wages are lowest and by concentrating efforts on front-line workers, my ministry expects that the new funds will allow community agencies, including those serving developmentally handicapped people, to retain experienced employees and consequently deliver services more effectively. I believe that this increased compensation will also make community agency jobs more attractive to students who are considering career

opportunities in social services, including the field of developmental handicaps.

While I recognize that these new resources do not address all compensation issues for community agencies, I believe they constitute a major step towards stability within Ontario's community social services network.

HAZARDOUS WASTE

119 Mrs Marland: Will the Minister of the Environment provide copies of all letters, memoranda, documents and studies within his possession which consider or discuss the feasibility of establishing a provincial superfund, similar to the US SuperFund, which is cost-shared between the government and industry, to provide ongoing funding to clean up toxic waste sites in Ontario? [Tabled 8 May 1989]

Hon Mr Bradley: The ministry believes that a fund is needed to deal with contaminated sites for which no owner can be found or which the owner cannot finance. The fund should be national to ensure action across Canada is conducted on a consistent basis and to ensure that no province becomes a haven for toxic waste dumping.

The creation of a national fund is best achieved through a special tax levy by the federal government. One model is to focus such a levy on industries which produce or use substances which can cause contamination. Consideration is being given to special taxes, such as a waste end tax or product tax, which are environmentally oriented and consistent with the "polluter pays" principle. These taxes also offer some incentive for polluters to reduce their discharges beyond the regulatory requirements.

Ontario has been an advocate of such a national superfund at the Canadian Council of Resource and Environment Ministers. The idea of a national superfund has been discussed at CCREM as one of several approaches for dealing with the cleanup of toxic waste sites.

The notion of a provincial fund similar to the US SuperFund is viewed as a less desirable approach since consistency of a national program is lost. The ministry has in place a \$20-million security account which is used to assist in the cleanup of toxic problems.

SELECT COMMITTEE ON THE ENVIRONMENT

120 Mrs Marland: Will the Minister of the Environment provide an explanation as to why he has not re-established the Select Committee on the Environment? [Tabled 8 May 1989]

Hon Mr Bradley: The Legislature has sole authority to constitute select committees, and may do so by adoption of a motion.

MUNICIPAL-INDUSTRIAL STRATEGY FOR ABATEMENT

121 Mrs Marland: Will the Minister of the Environment provide an itemized account of the Ministry of the Environment's expenditures on the Municipal-Industrial Strategy for Abatement

program listing the costs of the program for each industrial sector and for the municipal sector from the establishment of the program to the present? [Tabled 8 May 1989]

Hon Mr Bradley: Expenditures are itemized by year and by industrial sector, municipal sector and technical expenditure. Years are fiscal years (April-March) and include 1986-87, 1987-88 and 1988-89.

Ministry of the Environment expenditure on MISA (\$ millions)

Functional Section	1986-87	1987-88	1988-89	Total
Industrial	—	1.5	4.1	5.6
Municipal	0.3	3.7	4.3	8.3
Technical	0.9	1.8	4.2	6.9
Total	1.2	7.0	12.6	20.8

The ministry cannot provide expenditures broken down into MISA sectors as requested because it does not maintain information in this format. The ministry does monitor expenditures in three main areas: industrial program, municipal program and a broad technical expenditure area. The three areas are explained below:

The MISA industrial program includes development and regional support of the regulations for the industrial sectors.

The MISA municipal program includes the development of municipal sector regulations and a sewage treatment plant test study and investigations.

The technical expenditure area includes general project management, the activities of the MISA advisory committee, socioeconomic studies, systems development, hazardous assessment of priority pollutants, administrative support, legal support and laboratory support for the MISA program. These functions cannot be readily segregated by sector as they represent support of the entire MISA initiative. At any one time, technical expenses benefit all sectors in varying degrees depending on the stage of the development of the sector.

122 Mrs Marland: Will the Minister of the Environment provide the costs of publishing and distributing all reports associated with the MISA program? [Tabled 8 May 1989]

Hon Mr Bradley: Please find a breakdown of costs associated with the printing and distribution of MISA reports: 1986-87, \$13,259; 1987-88, \$9,904; 1988-89, \$32,996.

123 Mrs Marland: Will the Minister of the Environment provide a status report on the

progress of the MISA program's effluent monitoring and effluent limits regulations and will he provide an up-to-date timetable for the implementation of the MISA effluent limit regulations for each sector? [Tabled 8 May 1989]

Hon Mr Bradley: The following is the current status of the Ministry of the Environment MISA program:

The petroleum refining sector monitoring regulation was promulgated in June 1988, completed the five-month preparation period and is presently near the six-month mark in the one-year monitoring period.

The organic chemical monitoring regulation was promulgated in April 1989, with the dischargers presently beginning the five-month preparation period for regulation monitoring.

The iron and steel, mining, pulp and paper and inorganic chemical monitoring regulations have all completed the draft public review period and are in the final stages of legal and government review prior to promulgation. These regulations should be promulgated by the early summer of 1989.

The metal casting draft monitoring regulation has nearly completed the public review period, and should be promulgated in the summer of 1989.

Draft monitoring regulations for the electric power and industrial minerals sectors will be released for public review in the summer/early fall of 1989.

The draft municipal STP monitoring regulation is being finalized in terms of costing and will be released for public review in the fall of 1989.

Limits compliance regulations for all sectors will be promulgated in 1991-92.

LOANS FOR ENVIRONMENTAL
DEFENCE PROGRAM

126 Mrs Marland: Will the Minister of the Environment provide copies of all letters, memoranda, documents and studies within his possession which consider or discuss the feasibility of establishing the loans for environmental defence (Lend) program for cleanup loans to companies requiring assistance to install new technology required to comply with Ontario's pollution standards, as outlined in the Premier's press release of 4 September 1987? [Tabled 8 May 1989]

Hon Mr Bradley: The ministries of the Environment, Treasury and Economics, and Industry, Trade and Technology, through the Ontario Development Corp, are designing a program to implement Lend.

The purpose of Lend is to provide funds in the form of loan guarantees to companies requiring financial assistance in the acquisition and/or installation of pollution control devices particularly in response to new environmental regulation. Lend implementation will proceed in conjunction with ministry abatement schedule requirements.

The specific administrative aspects, such as eligibility criteria and application administration, are now under development.

OFFICE FOR THE GREATER
TORONTO AREA

140 Mr Cousens: Will the Minister of

Municipal Affairs provide the House with an accounting of the expenditures incurred to date by the greater Toronto area co-ordinating office headed by Gardner Church, indicating the project associated with these expenditures such as waste disposal, transportation, waterfront development and other? [Tabled 9 May 1989]

Hon R. F. Nixon: The actual expenditures incurred by the office for the greater Toronto area for the fiscal year 1988-89 (the figures for 1989-90 are not yet available): salaries and wages, \$272,001; employee benefits, \$26,322; transportation and communications, \$39,215; services, \$125,521; supplies and equipment, \$184,438; total, \$647,497.

It is not possible to break down the above expenditures by project, because these expenditures were incurred to support the unit as a whole.

The above figures include part-year expenditures for the office of the deputy minister, which was established on 1 September 1988.

141 Mr Cousens: Will the Minister of Municipal Affairs provide the House with an itemized budget for the greater Toronto area co-ordinating office for fiscal years 1988-89 and 1989-90? [Tabled 9 May 1989]

Hon R. F. Nixon: The following are the itemized budget figures for fiscal years 1988-89 and 1989-90 for the office for the greater Toronto area:

	1988-89*	1989-90
Salaries and wages	\$222,000	\$ 780,700
Employee benefits	35,000	144,200
Transportation and communications	62,000	170,000
Services	200,000	1,236,000
Supplies and equipment	170,000	52,000
	<u>\$689,000</u>	<u>\$2,382,900</u>

*The 1988-89 figures represent the budget for the greater Toronto co-ordinating committee. The office of the deputy minister was not established under 1 September 1988, and it was deemed at that time not necessary to create an additional budget for the deputy's office.

142 Mr Cousens: Will the Minister of Municipal Affairs provide the House with a list of employees working for the greater Toronto area co-ordinating office headed by Gardner Church, indicating their job titles and salary ranges? [Tabled 9 May 1989]

Hon R. F. Nixon: The following list indicates names of employees, their job titles and salary ranges, where appropriate, for staff working for the office of for the greater Toronto area as of 9 May 1989:

Names	Job titles	Salary range
G. Church	Deputy Minister	\$84,000-139,300
E. Fleming	Chairman, greater Toronto co-ordinating committee	\$77,025-115,525
S. Davis	Vice-chairman, greater Toronto co-ordinating committee	\$55,774-83,675
F. Kidd	Executive co-ordinator (finance)	On loan from Ministry of Skills Development
C. Pautler	Cabinet liaison and research co-ordinator	On secondment from Cabinet Office
R. Kidman	Engineer	On loan from Ministry of Transportation
R. Minnes	Planning analyst	On loan from Ministry of Municipal Affairs
S. Sharma	Financial analyst	On loan from Ministry of Treasury and Economics
F. Coley	Senior secretary	On secondment from Ministry of Intergovernmental Affairs
C. Thomas	Administrative assistant	On secondment from Cabinet Office
M. Rozario	Secretary to deputy minister	On secondment from Ministry of Housing
A. Pinto	Secretary	\$23,662-26,235
A. Collier	Receptionist	\$22,055-24,324

The above list does not include temporary employees or summer students.

143 Mr Cousens: Will the Minister of Municipal Affairs provide the House with a list of all the meetings held by the five regional chairpersons under the sponsorship of the greater Toronto area co-ordinating office headed by Gardner Church, including the date, location and persons who attended these meetings and the agenda of items discussed? [Tabled 9 May 1989]

Hon R. F. Nixon: Noted below in chronological order is a list of all the meetings held by the regional chairmen and the deputy minister for the office for the greater Toronto area. Also included are the dates when these meetings were held, the locations and names of persons who attended the meetings and a list of agenda items, where appropriate.

First meeting

Date: 20 January 1989

Location: Legislative Buildings, Queen's Park, Toronto

Attendance: G. Church, J. Aker, A. Anshan, D. Balsillie, F. Bean, R. Christie, E. Culham, D. Evans, L. Fincham, E. Fleming, J. Fleming, R. Forhan, R. Frost, G. Herrema, L. R. Kidman, E. King, E. McIntyre, P. McLaughlin, D. Obon-sawin, P. Pomeroy, M. Quigley, W. Ramsden, D. Richmond, A. Roman, A. Tonks, S. Yundt.

Second meeting

Date: 27 January 1989

Location: Constellation Hotel, Etobicoke

Attendance: G. Church, F. Bean, D. Evans, E. Fleming, J. Fleming, R. Forhan, J. Frost, G. Herrema, E. King, E. McIntyre, P. Pomeroy, G. Posen, D. Richmond, M. Sypnowich, A. Tonks.

Agenda: No formal agenda was prepared.

Third meeting

Date: 13 February 1989

Location: Skyline Hotel, Etobicoke

Attendance: G. Church, J. Aker, F. Bean, D. Evans, E. Fleming, J. Fleming, R. Forhan, G. Herrema, L. R. Kidman, E. King, A. Leitch, E. McIntyre, J. V. Morris, P. Pomeroy, G. Posen, M. Quigley, D. B. Richardson, D. Richmond, M. Sypnowich, A. Tonks.

Agenda: No formal agenda was prepared.

Fourth meeting

Date: 24 February 1989

Location: Ramada Renaissance Hotel, Scarborough

Attendance: G. Church, J. Aker, F. Bean, D. Evans, E. Fleming, J. Fleming, R. Forhan, G. Herrema, L. R. Kidman, E. King, A. Leitch, M. Lesurf, E. McIntyre, S. Moore, P. O'Malley, P. Pomeroy, G. Posen, D. B. Richardson, D. Richmond, A. Roman, E. Rowe, A. Tonks.

Agenda: No formal agenda was prepared.

Fifth meeting

Date: 7 April 1989

Location: Ramada Renaissance Hotel, Scarborough

Attendance: G. Church, J. Aker, F. Bean, D. Evans, R. Ferguson, E. Fleming, J. Fleming, R. Forhan, V. Henderson, G. Herrema, L. R. Kidman, E. King, E. Kolb, M. Krause, M. Lesurf, E. McLaughlin, P. O'Malley, G. Petch, P. Pomeroy, G. Posen, M. Quigley, W. Ramsden, R. Richards, D. Richardson, A. Tonks.

Agenda: (1) Progress report on developments since 14 March; (2) public sector role; (3) public consultation on chairmen's strategy and RFP; (4) staff report—organization and support for committee; (5) issues of concern; (6) cost-sharing during interim period; (7) communications; (8) other business.

Sixth meeting

Date: 27 April 1989

Location: Room 1602, Whitney Block, Queen's Park, Toronto

Attendance: G. Church, P. Allen, F. Bean, P. Christie, D. Evans, E. Fleming, J. Fleming, G. Herrema, L. R. Kidman, E. King, E. Kolb, A. Leitch, D. Markle, E. McIntyre, P. McLaughlin, P. O'Malley, G. Petch, P. Pomeroy, G. Posen, M. Quigley, D. Richardson, A. Roman, A. Tonks, M. Turner.

Agenda: (1) Previous minutes; (2) agenda review; (3) management consultant subcommittee report; (4) chairman's report—status of proposal, anticipated developments; (5) technical committee report: (a) program reports—RFP; master plan consolidation; (b) legal agreement; (c) advising municipalities; (d) requirements of the EA Act; (e) internal management process; (6) public information and consultation initiative; (7) packaging reduction; (8) communications strategy; (9) other business.

HOUSING FOR SENIOR CITIZENS

145 Mr Allen: Would the Minister of Community and Social Services please inform the House of the number of residential group homes for seniors opened during the 1988-89 fiscal year with the ministry's assistance and the number of seniors accommodated in these group homes? [Tabled 10 May 1989]

Hon Mr Sweeney: In 1988-89, the ministry opened one group home for elderly people, St Mary's in Ottawa, with a total capacity of 12 people.

HOUSING FOR SENIOR CITIZENS AND THE DISABLED

146 Mr Allen: Would the Minister of Community and Social Services please inform the House of the number of staffed (attendant care) apartments opened for seniors and disabled

during the 1988-89 fiscal year with the ministry's assistance and the number of persons accommodated in these apartments? [Tabled 10 May 1989]

Hon Mr Sweeney: In 1988-89, the ministry opened a total of 49 staffed apartments/projects with a total capacity of 654 beds. Of this total, 32 projects with a capacity of 274 beds were opened for developmentally handicapped people, 14 projects with a capacity of 214 beds were opened for physically disabled people and three projects with a capacity of 166 beds were opened for elderly people.

INTERIM ANSWERS

124 Mrs Marland—Hon Mr Bradley: The ministry will forward a response on or about 28 June 1989.

144 Mr Cousens—Hon R. F. Nixon: The information requested will be available on or about 12 July 1989.

177 to 191 Mr Harris—Hon Ms Hošek: The Ministry of Housing is unable to answer the above-noted questions in the time provided. I anticipate that answers to these questions will be available on or about 14 July 1989.

RESPONSES TO PETITIONS

TEACHERS' SUPERANNUATION

Sessional paper P-2, re Teachers' Superannuation Act.

Hon Mr Ward: The issue of providing a pension based on a "best five" years' service to those who have already retired must be viewed in the context of the overall financial situation of the teachers' pension plan.

Studies have shown that a "best five" recalculation would have considerable cost implications for the teachers' pension funds. Studies have also indicated that such a measure would not provide significant improvements for those who retired prior to 1976 and did not benefit from improved salary conditions and inflation protection.

In 1985 this issue was referred to the Public Sector Pensions Advisory Board, which reviewed the matter and recommended against such a change. Following these recommendations, the government decided that the most effective use of limited resources would be to augment low pensions with an ad hoc increase for teachers who retired prior to 1976. This improvement was implemented in 1987 and has been paid for entirely by the government.

SCHOOL OPENING AND CLOSING EXERCISES

Sessional paper P-3, re Lord's Prayer.

Hon Mr Ward: On 23 September 1988, the Ontario Court of Appeal struck down subsection 28(1) of regulation 262 as an infringement of religious freedom under the Canadian Charter of Rights and Freedoms. The spirit of the decision was that in opening or closing exercises in public schools one religion must not be given a position of primacy and that the content of opening or closing exercises must reflect the multicultural realities and traditions of Ontario society.

The amendments which I announced on 12 January 1989 allow opening or closing exercises to continue in Ontario public elementary and secondary schools in a manner consistent with the spirit of the court's ruling.

The amendments allow the Lord's Prayer to continue to have a place in opening or closing exercises as a reading. However, it may not be given a position of primacy and the collective recitation of a reading from a particular religious tradition can no longer be permitted as such a practice is not in accordance with the Canadian Charter of Rights and Freedoms.

Where a board chooses to offer a balanced selection of readings drawn from secular and scriptural writings, students will benefit from exposure to the social, moral and spiritual traditions representative of Ontario's multicultural society.

The public elementary and secondary schools of Ontario are open and accessible to all on an equal basis irrespective of creed. They are founded on the positive societal values which, in general, Canadians hold and regard as essential to the wellbeing of our society. These values transcend cultures and faiths, reinforce democratic rights and responsibilities, and are based on a fundamental belief in the worth of all persons.

WORKERS' COMPENSATION

Sessional paper P-7, re workers' compensation.

Hon Mr Sorbara: Bill 162, An Act to amend the Workers' Compensation Act, will result in significant improvements in the Ontario workers' compensation system. The bill does respond to the recent Task Force Report on the Workers' Compensation Board Vocational Rehabilitation Services by providing for timely and effective rehabilitation services. The re-employment obligations placed on employers will assist many more workers return to work more quickly.

The bill also provides for a new dual award approach to compensating injured workers for the impact of a permanent disability resulting

from a workplace accident. In addition, the bill makes provision for supplementary benefits for those current recipients of permanent disability awards who are not being compensated adequately.

The bill has already received second reading and has been sent to the standing committee on resources development for its consideration. That consideration is now in process and should be allowed to continue.

HOME CARE

Sessional paper P-10, re Victorian Order of Nurses.

Hon Mrs Caplan: The Victorian Order of Nurses has been a valued provider of nursing services to this ministry's local home care programs for many years. These services have been fully funded, and when a deficit occurred in 1985-86 it was also funded.

In 1988-89, a further deficit estimated by VON to be \$2.5 million was brought to our attention, and I was pleased to announce on 5 May that this deficit will be fully funded.

During 1988, the management consulting firm of Stevenson, Kellogg, Ernst and Whinney conducted, as a joint undertaking of the Ministry of Health and VON Ontario, an operational review of six VON branches. The report on this project made a number of recommendations to improve operational linkages and long-term funding arrangements between the two parties and outlined opportunities to improve efficiencies within the VON. Ministry staff are currently working with VON Ontario to implement these recommendations. In the meantime, discussions related to satisfactory funding arrangements for the current year are in progress.

AUTOMOBILE INSURANCE

Sessional paper P-11, re lower insurance rates.

Hon Mr Elston: The Ontario Automobile Insurance Board continues to hold public hearings related to alternative systems of automobile insurance. The two systems under examination are a threshold no-fault insurance plan and a choice system of automobile insurance. Both measures would represent fundamental reform of our existing insurance system and are aimed at maintaining fairness and equity in the cost of automobile insurance for Ontario consumers. The board's hearings commenced 17 April. Its findings, together with any recommendation it may make in its report to the government, are anticipated in mid-June.

In conjunction with these hearings, the Auto Insurance Rates Control Act, 1989, enforcing a 7.6 per cent cap on automobile insurance premium increases after 31 May, and deferring both the board-ordered benchmark rates and a new automobile classification plan pending a decision on auto insurance product reform, received first reading in the legislature on 11 May.

The cap reflects government's commitment to stabilizing automobile insurance premiums and prevents any unacceptable rate increases in the period prior to a decision with respect to product reform in the auto insurance industry.

WASTE DISPOSAL

Sessional paper P-12, re garbage dumps in Durham.

Hon Mr Bradley: On 14 March 1989, a proposal for a long-term program for the management of solid waste was released.

The chairmen's proposal calls for a collective approach of the regions in the greater Toronto area (Halton, Peel, York, Durham and Metro) to find and implement a long-term waste management system.

The long-term system is to include major 4R's initiatives to meet provincial goals as well as state-of-the-art disposal of the balance of the waste. The long-term system, which will undergo assessment under the Environmental Assessment Act, probably will be implemented in the period 1992 to 1996.

Metro, York, Durham and Peel may not have sufficient capacity in existing landfills for disposal of the waste in the period up to implementation of the long-term system. Therefore, the chairmen's proposal has accepted the need for contingency landfilling sites to provide interim disposal capacity.

Contingency sites, as indicated in the 14 March chairmen's proposals, are to be evaluated under the Environmental Protection Act.

On 17 May 1989, council of the region of Durham approved the nomination of its contingency site in the town of Pickering near the village of Whitevale (P1 site). The P1 site is on provincially owned land which the Ministry of Government Services would permit to be used for the site.

The province has agreed to assist in resolving the solid waste management situation in the greater Toronto area, including the regions of Durham, York, Peel and Halton and Metropolitan Toronto.

HOMES FOR THE AGED

Sessional paper P-15, re homes for the aged.

Hon Mr Sweeney: The cost control measures to which the petition refers have become necessary as a result of the significant increase in expenditures by Ontario's homes for the aged. For example, costs at the homes increased by 9.8 per cent in 1985-86, 11.5 per cent in 1986-87 and 21 per cent in 1987-88. These rising costs have been accompanied by an increasing disparity within the municipal homes for the aged program in which extended care per diem rates range from \$60 to over \$125.

This disparity is largely a result of the high degree of discretion afforded to municipalities in the operation of homes for the aged. Prior to the revised funding arrangement, my ministry was obliged by legislation to pay 70 per cent of costs above the extended care ceiling and had no legislative authority to control the provincial contribution to a given municipal home for the aged.

The province's cost control strategy is intended to restrict the increase in extended care costs to four per cent in 1989 in those homes for the aged with the highest costs in the province. In other words, while all homes will receive at least four per cent more funding than they did in 1988, only those with costs above the provincial average will be limited to four per cent growth.

Although my ministry's annual increase for a wide variety of social programs is based on a four per cent inflationary factor for 1989, the increase in overall provincial funding for homes for the aged is expected to increase more than four per cent.

I would like to emphasize that the cost control strategy is an interim measure. In the longer term, the ministry fully recognizes the need to revise Ontario's current funding arrangements and care classifications and to develop a rational, fair and consistent approach.

With regard to Fairhaven Home for Senior Citizens in Peterborough, staff of the ministry's area office are working closely with the home to examine the impact of the cost control measure. The ministry intends to ensure that all homes for the aged, including Fairhaven, meet minimum staffing standards. The area office and Fairhaven are exploring alternative program funding for the proposed respite and outreach services at the home. The ministry fully supports these services for elderly people.

I have requested that ministry staff review the situation at Fairhaven Home and report on

possible solutions which may alleviate the home's staffing and budget problems in any way.

ANIMALS FOR RESEARCH

Sessional paper P-17, re animals in product testing.

Hon Mr Riddell: The statements heading this petition are not correct.

The wording in the petition implies that testing of cosmetics and household products causes death and suffering in large numbers of animals. In fact, only small numbers of animals are used for testing of these products in Ontario. Less than 300 rabbits are used each year for the eye irritancy tests, and anaesthetics are used if there is any indication of significant tissue damage.

All research and animal testing facilities, except those operated by the government of Canada, are regulated under the Animals for Research Act, which is the most comprehensive animal care legislation in Canada. Unannounced inspections of all facilities are made by ministry veterinarians to ensure that there is no unnecessary pain and that animals are properly used and cared for.

Federal government regulations require manufacturers of consumer products to ensure that products being sold are safe when used as directed. For several products, this requirement can only be met by using animals. The nonanimal

alternatives have not been accepted as reliable in Canada or any other country which is a signatory to the Organization for Economic and Co-operative Development.

Animals may also be required to test materials for the workplace hazardous materials information system and for the Canada Environmental Protection Act. The classical LD50 toxicity test has been modified to require fewer animals, reduce mortality and provide more information. The information is necessary to protect people and to protect our environment.

Alternatives to nonanimal tests such as the chorioallantoic membrane tests have been developed and are used to reduce the number of animals required. However, they have not been validated as a replacement as yet. Research is still required to develop alternatives and determine their reliability. I expect my ministry will become more active in this research and that alternatives will be accepted in the not too distant future.

My ministry does not believe that we should ban tests which are still required to ensure the safety of consumers, workers and our environment. A ban in Ontario would only result in the performance of these tests in other provinces or states which do not have veterinary inspectors to monitor them.

ALPHABETICAL LIST OF MEMBERS*

(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

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- | | |
|---|---|
| Adams, Peter (Peterborough L) | Fontaine, Hon René , Minister of Northern Development (Cochrane North L) |
| Allen, Richard (Hamilton West NDP) | Fulton, Hon Ed , Minister of Transportation (Scarborough East L) |
| Ballinger, William G. (Durham-York L) | Furlong, Allan W. (Durham Centre L) |
| Beer, Charles (York North L) | Grandmaitre, Hon Bernard C. , Minister of Revenue (Ottawa East L) |
| Black, Kenneth H. (Muskoka-Georgian Bay L) | Grier, Ruth A. (Etobicoke-Lakeshore NDP) |
| Bossy, Maurice L. (Chatham-Kent L) | Haggerty, Ray (Niagara South L) |
| Bradley, Hon James J. , Minister of the Environment (St Catharines L) | Hampton, Howard (Rainy River NDP) |
| Brandt, Andrew S. (Sarnia PC) | Harris, Michael D. (Nipissing PC) |
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| Carrothers, Douglas A. (Oakville South L) | Kanter, Ron (St Andrew-St Patrick L) |
| Charlton, Brian A. (Hamilton Mountain NDP) | Kerrio, Hon Vincent G. , Minister of Natural Resources (Niagara Falls L) |
| Chiarelli, Robert (Ottawa West L) | Keyes, Kenneth A. (Kingston and The Islands L) |
| Cleary, John C. (Cornwall L) | Kormos, Peter (Welland-Thorold NDP) |
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Oddie Munro, Hon Lily, Minister of Culture and Communications (Hamilton Centre L)
 Offer, Steven (Mississauga North L)
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 O'Neill, Yvonne (Ottawa-Rideau L)
 Owen, Bruce (Simcoe Centre L)
Patten, Hon Richard, Minister of Government Services (Ottawa Centre L)
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 Philip, Ed (Etobicoke-Rexdale NDP)
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 Roberts, Marietta L. D. (Elgin L)
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Common
Publications

No. 28

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Official Report of Debates

Legislative Assembly of Ontario



Second Session, 34th Parliament

Tuesday, 20 June 1989

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Clerk of the House: Claude L. DesRosiers

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Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, 20 June 1989

The House met at 1330.

Prayers.

ROYAL ASSENT

The Speaker: I beg to inform the House that in the name of Her Majesty the Queen, His Honour the Lieutenant Governor has been pleased to assent to certain bills in his chambers.

Clerk Assistant and Clerk of Committees: The following are the titles of the bills to which His Honour has assented:

Bill 124, An Act to amend the Children's Law Reform Act;

Bill 170, An Act to revise several Acts related to Aggregate Resources;

Bill 187, An Act to amend certain Acts as they relate to Police and Sheriffs;

Bill 189, An Act to amend the Provincial Offences Act and the Highway Traffic Act;

Bill 200, An Act to confirm a certain Agreement between the Governments of Canada and Ontario;

Bill 205, An Act to amend the Amusement Devices Act, 1986;

Bill 206, An Act to amend the Elevating Devices Act;

Bill 207, An Act to amend the Energy Act;

Bill 218, An Act to amend the Environmental Protection Act;

Bill Pr5, An Act respecting Certain Land in the Town Plot of Gowganda in the District of Timiskaming;

Bill Pr9, An Act respecting the City of Windsor;

Bill Pr10, An Act to revive 561239 Ontario Inc;

Bill Pr12, An Act respecting The Madawaska Club Limited;

Bill Pr19, An Act to revive the Port Bruce Boat Club;

Bill Pr22, An Act to continue The Corporation of the Village of Killaloe Station under the name of The Corporation of the Village of Killaloe.

MEMBERS' STATEMENTS

TORONTO AREA TRANSPORTATION

Ms Bryden: The Minister of Transportation (Mr Fulton) is trying to meet the transportation crisis in the greater Toronto area with smoke and mirrors. His two announcements last week on road construction and public transit were mainly repeats of projects announced in his Transportation Directions for the Greater Toronto Area, unveiled with much fanfare in May 1988. While a few projects are to be accelerated, he is still talking about a five-year plan with completion dates as late as 1997 for some projects, such as the extension of the Highway 401 core collector system to Brock Road.

He boasts about the \$1.2 billion in the budget for transportation improvements in the greater Toronto area, but there is little new money. It is all for last year's promises. In the public transit field there is no commitment of funds to start construction of the badly needed Sheppard Avenue subway to link the Scarborough and North York city centres, nor is there any money for the necessary extension to Pearson International Airport. There is nothing for new subways beyond the one-stop extension of the underused Spadina line.

Why is more of the money from the huge tax increases loaded on to greater Toronto area residents not being used for immediate transit improvements in the greater Toronto area? The likelihood of a hefty Toronto Transit Commission fare increase on 1 January to offset new taxes will not encourage people to get out of their cars and on to public transit. It is time we had a Minister of Transportation who will fight traffic congestion by more imaginative ways than recycling old amendments.

APPRENTICESHIP TRAINING

Mrs Cunningham: We are all aware of the increasing dropout rate of our high school students. Unfortunately, apprenticeship training, which could assist these students and help them to contribute to society, is virtually dead in Ontario. Consequently, these students are dropping in and out of our workforce.

The Minister of Skills Development (Mr Curling) stated last week in response to my question that he does not have a solution to this horrendous problem and that he is not ashamed of the way things are going in Ontario. We think he should be. The minister has spent literally hundreds of thousands of the taxpayers' dollars on these studies—far too many of them—and we have not seen any progress to date.

Incidentally, these reports are useless because they only confirm the obvious. For example, everyone knows that dropping out of school narrows one's career choices, and it was not necessary to spend \$100,000 to confirm it. The minister should be spending his money on apprenticeship training and other viable solutions to the dropout problem which will enable our young people to contribute to society.

We cannot hope to compete in tomorrow's markets with yesterday's skills and abilities. It is the responsibility of this government to ensure that apprenticeship programs reflect current and emerging skills needed and to ensure that the appeal of the skilled trades is increased. It is about time that this government put its money towards improvements rather than to more reports telling us what we already know.

WORKERS' MEMORIAL DAY

Mr Campbell: Five years ago today, four Sudbury miners lost their lives owing to a seismic disturbance known as a rockburst. This is caused when a portion of a mine wall becomes so stressed that, as the name implies, the rock itself literally explodes, sending shrapnel-like fragments hurtling through the mine. I leave to members' imaginations the horrific results.

Rockbursts are only one of the many dangers faced by underground hardrock miners on a daily basis. They know and accept these dangers while trying at all times to minimize them. Their contribution to the building of our cities and towns is often unacknowledged. This edifice we stand in today would not exist if the miners of Ontario had not toiled in their underground pursuits.

I would ask all members to pause today to remember the sacrifice made by the miners of Ontario for the building of our province.

Miss Martel: This statement is being made both on behalf of myself and the member for Nickel Belt (Mr Laughren).

At 1020 in the morning five years ago today, a rockburst occurred at Falconbridge nickel mines. When it was all over, four Sudbury miners were left dead. It was a terrible tragedy for our

community, one which has seen more than its share of horrible mining accidents and deaths.

The Canadian Mine, Mill and Smelter Workers Union, in conjunction with other Canadian unions, recognizes 20 June as Workers' Memorial Day. This is done not only to acknowledge the deaths of those miners killed in the rock blast, but to recognize all men and women in this country who are maimed or killed on the job. Alongside those are the thousands more who perish every year from occupational disease. They have given a great deal to build this country. It is fitting that we acknowledge not only that contribution but the tragedies which result when workplace accidents occur. I ask all members of this House to take some time out to reflect on that.

One other important point must be made. Yesterday was the beginning of Canadian Occupational Health and Safety Week. Today we recognize Workers' Memorial Day. Surely the time must come when true health and safety in the workplace will end the overwhelming number of accidents and diseases suffered on the job. This government cannot back down on Bill 208. It is the only hope for those people who become the victims of unsafe workplaces is Ontario, workers themselves.

1340

G. W. MARTIN LUMBER LTD

Mr Eves: It gives me pleasure to rise in the House today and bring to the attention of the Minister of Natural Resources (Mr Kerrio) a matter of which I am sure he is already aware. I am sending over to him a copy of a letter I have written, together with a copy of a letter, dated 14 June, from the mayor of the town of Mattawa. I am sure the minister is aware of layoffs taking place as a result of the shutdown of some aspects of G. W. Martin Lumber Ltd's operations in the Mattawa area as well as in other communities across Ontario.

It has been my understanding that logging workers have been out of work since the end of March in many communities and that a further 71 employees are to be laid off at the Mattawa mill as of tomorrow, Wednesday, 21 June. Further possible layoffs may take place at both the Mattawa and Rutherglen mills.

It has been suggested, I know, that an American firm was looking at purchasing the Rutherglen mill but is apparently seeking a guarantee from the ministry of more lumber than the ministry is able to give. There is also some suggestion that Tembec, of the province of

Quebec, is considering purchasing the Mattawa operation from G. W. Martin Lumber Ltd.

It is the community's concern and my own that local people are not left out in the cold of any prospective transfer of any assets of G. W. Martin Lumber Ltd or its timber licences or agreements. We would ask the minister to ensure this by putting specifications or conditions on such transfers, to protect their jobs and the community.

FESTIVAL '89

Mr Cleary: May I extend a personal invitation to my colleagues to experience the best of all worlds. The Cornwall and District Multicultural Council is presenting Festival '89. The spectacular showcase of multicultural activities includes superb entertainment, colourful costumes, arts and crafts and a splendid cuisine.

The Minister of Citizenship (Mr Phillips) and I will be at the Cornwall and Area 7th Annual Multicultural Festival, and I hope that many of the members will join us. That is at the Cornwall Civic Complex this Sunday, 25 June. Plan for a day of fun, good food, entertainment and an opportunity to learn more about the heritage and culture of various ethnic backgrounds. Members may discover a world they never knew before.

PROPOSED NEUTRINO OBSERVATORY

Mr Laughren: I am pleased that the Minister of Industry, Trade and Technology (Mr Kwinter) is here as I make my few remarks concerning the Sudbury neutrino observatory. For some time now this government has been stalling on this very worthwhile project, a project that will put Sudbury in the forefront internationally in pure scientific research on particles from the sun known as neutrinos.

Sudbury is unique in that it has a deep mine shaft that is free of external factors that would affect the observatory. Every time we raise the question with the government that what is needed is \$7.2 million over four years—not a major commitment from the technology fund—the government ministers respond that, first of all, they did not know anything about it. Then they say: "Well, we're not going to go this alone. We want to make sure there are other people on side on this."

Now the international community is on side. Last week the National Sciences and Engineering Research Council indicated that it was prepared to put \$15 million into this project, more than twice what this government is being asked to put in. It seems to me there is no longer any excuse

whatsoever for this government to stall. What they should be doing is making a firm commitment to provide that funding, so that other major players can then come on side knowing full well that the province is fully committed to this project.

STATEMENT BY THE MINISTRY

SARNIA-LAMBTON

Hon Mr Eakins: I am very pleased to inform my colleagues that I intend to introduce legislation today to resolve a long-standing and contentious dispute between the city of Sarnia, the town of Clearwater and the county of Lambton.

As members may know, the dispute involves an attempt by the city of Sarnia to grow into the neighbouring municipality of Clearwater, or Sarnia township as it was known when the dispute began.

One year ago today, I established a steering committee composed of local politicians and asked it to draft a framework for the strengthening of Lambton county. They reported back to me last October with some alternative local government structures for Sarnia-Lambton.

This January, with the work of the first committee as a starting point, I asked the new committee of nine local politicians representing the city, the town and the county to finish the job. I asked them to work out a detailed solution to the dispute and to report back to me by 30 April. They agreed on a local solution.

The legislation I am introducing today will permit them to implement the solution that together we have worked so hard to draft. Under the terms of the local solution:

The city of Sarnia and the town of Clearwater will become one municipality.

The new city will become a member of the county, having 40 per cent of the representation on county council.

The county will take over from the city those services it now provides within the county.

All local municipalities will transfer to the county responsibility for waste disposal.

A county-wide reassessment will take place for the 1992 taxation year.

County council will be reduced in size from 36 to 24 for the 1991 municipal election.

County council will be given the power to resolve any boundary applications received before January 1991.

An implementation committee will submit a final report to me by 1 May 1990, making recommendations regarding administrative, operation-

al and staffing issues which must be addressed as a result of this local solution.

There will be costs involved for the people of Sarnia-Lambton as they implement the agreement they have reached. My ministry will make available transitional funding to ensure appropriate and adequate implementation of the boundary adjustment and restructuring.

I am extremely pleased that the boundary dispute that has been ongoing for so many years is now over and that our government has been able to bring the different parties together in partnership and begin a new phase in the history of Sarnia-Lambton.

As a result of this local solution, I firmly believe the people of Sarnia-Lambton will have a stronger local government structure, better able to meet their needs now and in the future.

RESPONSES

SARNIA-LAMBTON

Mr Breough: Just very quickly, the minister has announced some legislation today to deal with a long-standing boundary dispute and I want to congratulate the minister for using his personal abilities to the fullest. It is my information that he stayed out of it completely, which is the smartest thing he has ever done, to let them have their own local agreement put together. I congratulate the minister for having the good sense to do nothing.

Mr Brandt: I want to take this opportunity to congratulate the minister on his efforts and his very competent staff, many of whom are in the gallery today listening to this historic statement by the minister. I would also like to reflect just for a moment on the efforts of the local committee, because without its efforts, without its co-operation, it would have been impossible to put this agreement together as the minister is announcing today.

It has been an extremely difficult time for Sarnia, the town of Clearwater, formerly the township of Sarnia, and the county of Lambton, because it has been historically a very complicated and very difficult matter to resolve in the sense of the very well entrenched positions that were taken on all sides of this question by people who are well meaning and who have the best interests of their constituency at heart. But I think the people who were involved in finally pulling this particular solution together realized that after close to 40 years and with the tremendous boundary problems that were surfacing in the Sarnia-Lambton area, something certainly had to be done.

I want to say to the minister that I appreciate his sense of pragmatism and flexibility in connection with the way in which he approached this. He did not attempt to heavy-hand the decision by ordering a particular direction on the part of the province, but in fact provided the co-operation and the assistance for local people to arrive at a local solution, which is the best, I think, of all worlds. They are the people who are going to have to live with it. They are the people who are going to have to make it work.

I truly feel on this historic occasion that the minister should be given perhaps the only bouquet I will hand out today, but it is a bouquet that is sincerely meant. I want to thank the minister for his efforts, for the number of trips he has made to discuss this matter with local councils and local elected officials, who had a tremendously difficult time arriving at the point that I think we can all celebrate with some degree of satisfaction today.

Although there is still much to be done in terms of the implementation of the plan and pulling all of the various details together, I think we have taken a major step today, and I would like to thank the minister for his efforts.

1350

ORAL QUESTIONS

PATRICIA STARR

Mr B. Rae: I have a question for the Minister of Culture and Communications. I wonder if the minister can explain why it would be that the executive director of the National Council of Jewish Women of Canada, Toronto section, is quoted in today's Hamilton Spectator as saying as follows, "I have no idea about it," referring to the survey the minister's mother was paid to do.

"We didn't hire her. We didn't pay her," Mrs Rudson said yesterday in an interview. "It has nothing to do with the Toronto section. I don't know what it was for," Mrs Rudson added," adding she didn't know where, or if, a copy of the survey results could be obtained.

I wonder if the minister can explain how that comment could be made by the executive director of the charity in question.

Hon Ms Oddie Munro: The honourable member is asking me about an agreement that was made between my mother and Mrs Starr and I am not aware of any details other than the ones I have shared with him. All I can tell him is what my mother has told me. Second, I have not spoken to the particular person whom he has spoken to at the National Council of Jewish

Women, and all I can say is that I do not know. I cannot answer the question.

Mr B. Rae: The minister has written to Mr Justice Evans asking him to rule whether or not there is a conflict. We have a number of material facts that are now coming out that the minister has not referred to in her letter, which she is under an obligation to provide to the judge if she is serious about wanting an opinion from him. She has to tell him who paid the money, when the money was paid, what it was paid for, what service was provided and the nature of her association with Mrs Starr.

All those are perfectly relevant, pertinent facts. If she is not prepared to tell us, she at least has to be prepared to tell Mr Justice Evans before he can render any other kind of opinion.

Again, I wonder if the minister can explain the comment today that as far as the National Council of Jewish Women is concerned, it has not heard of the survey, has not seen the survey and does not even know if such a survey can be found anywhere in Ontario.

The Speaker: Thank you. The question has been asked.

Hon Ms Oddie Munro: The honourable member has asked me in previous sessions in the House if I had a copy of the survey or the report, and I indicated I have not. I have had no dealings with the National Council of Jewish Women on this incident. I have explained several times, and I am more than willing to explain again, that I received an inquiry from Mrs Starr as to people who might be able to do a particular kind of work, and I referred my mother.

I am not responsible for what the National Council of Jewish Women says to any media person, and indeed I cannot answer the question that the National Council of Jewish Women was asked. I think the issue is before the investigation that has been proclaimed by the acting Solicitor General (Mr Scott), and my mother is more than willing to take part in that investigation.

I think it is also fair to say, and very important for me to say, that I can only tell the honourable member what my mother told me. My mother is not here to speak for herself, and I believe, knowing my mother, that she will co-operate to the fullest of her ability to do so.

Mr B. Rae: The question is not the conduct of the minister's mother; the question is the minister's own conduct in her relationship with Mrs Starr, her having determined that a contract was appropriate, her having decided that she would refer one name and one name only. The minister is accountable to this House for her own

conduct and for what she has done, and that is the determination we are making in this place today.

I want to ask the minister if she does not feel embarrassed by the fact that after all this time, she still cannot provide us with any details of the survey, still cannot provide us with any significant details as to what was performed and still cannot tell us and explain to this House why she does not understand how wrong it is, in pure and simple terms, to refer a very close relative for what can only be described as a sweetheart deal with a professional lobbyist on behalf of the Liberal Party, who has established a slush fund of tens of thousands of dollars—

The Speaker: Order. The question has been asked.

Hon Ms Oddie Munro: No, I do not feel embarrassed. I have listened very carefully to the comments of members in this House, including those of the Leader of the Opposition, and I can appreciate that there is a perception among some members and the general public that my role may not have been appropriate. I have asked for advice from the Conflict of Interest Commissioner. I have written him a letter, of which the members have also received a copy, and I am more than willing to have conversations or discussions with him when the time arises.

Having said that, I also believe that I have acted as quickly as I could to answer any responses by the media on contributions either to my riding association or to my campaign and that I have made it quite clear what the initial inquiry was when received from Mrs Starr.

Mr B. Rae: I have a question for the Minister of Housing (Ms Hošek), but I will stand it down until she comes back.

The Speaker: Is there agreement for that? All right. First question, the member for Sarnia.

Mr Brandt: My question is for the Minister of Tourism and Recreation. Within the last hour and a half, allegations have been brought to my attention with respect to Ontario Place, and more specifically some of the documents that relate to Ontario Place during the tenure of Patricia Starr. These allegations suggest that in fact shredders are being used at Ontario Place with the specific purpose, I would believe, of disposing of certain documents that may be of interest to the government of Ontario and particularly the Provincial Auditor.

I would ask the minister, if these allegations are correct, will he move immediately to make sure that those documents are secured at Ontario

Place and delivered into the safe hands of the Provincial Auditor immediately?

Hon Mr O'Neil: In reply to the member, I am not aware of any such thing happening at all. As I mentioned yesterday, we wrote the Provincial Auditor last week asking him to go into Ontario Place. It is my understanding that happened and that he has been in there now for a number of days. I am not aware of any of these allegations the member is making at all.

Mr Brandt: In checking yesterday, the Provincial Auditor perhaps went to Ontario Place yesterday, but I am not aware he has been in there for a number of days.

There is some importance behind the question I raise with the minister. Whether the allegations are correct or not is really not the question. The question is whether the documents are secure. The Premier (Mr Peterson) indicated everything would be open, aboveboard and completely investigated through the Ontario Provincial Police, as well as the auditor. If those documents are missing, it will create a situation in which it will obviously be extremely difficult to investigate.

I ask the minister, will he move immediately to secure those documents so that they will be available to those who want to check into the operations of Ontario Place?

Hon Mr O'Neil: Again, I should tell the member that in fact the auditors were in Ontario Place last week on their annual audit. They do an audit there every year. We gave them the instructions. As I have said, that letter went out last week. Again, I think the member is making certain allegations that are wrong.

Mr Brandt: The allegations are wrong before the minister has even looked into them.

I ask the minister again, in view of the fact that there are documents at Ontario Place that could prove to be extremely important with respect to the investigation that is being carried out in that facility, is the minister prepared to move to seize those documents and make sure that all of them are available for the perusal of the Ontario Provincial Police, as well as the Provincial Auditor, so that nothing will be hidden, disposed of or removed? Is he prepared to take that action today?

1400

Hon Mr O'Neil: It was my understanding, when we sent the Provincial Auditor in, that this is just what would be done. As far as I am concerned or the government is concerned, there is nothing whatsoever that we intend to hide. Our

books should be completely open to any inquiries that are made, whether they be by the auditor, the police or whomever. For the member to make such allegations, I do not think is very fair at all.

The Speaker: New question.

Mr Brandt: The question is will he in fact—

The Speaker: To which minister?

Mr Brandt: To the same minister.

The Speaker: Fine.

Mr Brandt: With the agreement of the Leader of the Opposition, if I can carry on with my line of questioning, I want to be absolutely certain that no documents are removed. Will the minister make sure as part of the responsibility of his office, which is directly responsible for the operation of Ontario Place through his appointee Patricia Starr, that none of those documents is removed. Is the minister prepared to give us that undertaking today?

Hon Mr O'Neil: As I say, it was my understanding that nothing like that would happen. If the member is asking me whether I am prepared to confirm that, yes, I will confirm it to the member today. I will make sure those instructions are forwarded to them, but it is my understanding that anything that is at Ontario Place, any files that are there, are completely open to anyone in the way of the four investigations presently going on.

Mr Brandt: One of the documents the minister may come across during the course of the investigation of this particular issue relating to Ontario Place relates to the concessions and the proposal calls for the restaurants and the food concessions at that establishment.

I will make available for the minister today a document related, in part, to a question I raised yesterday about the rather unusual manner in which the food concessions were given out during the tenure of Patti Starr as chairman of the board of Ontario Place. This particular proposal call appears as follows, and I will make that available to the minister. What it says is that Ontario Place is inviting Kelly's, which was one of the concession holders up until that point in time, "to submit preliminary proposals for the premises currently known as Kelly's;

"Kelly's burger outlet will close;

"Review lease, discuss, agree concepts within two weeks;

"Full proposal including detail plans, investment, etc, one month after;

"Final plans subject to board approval;

"Key is originality and quality;

"Term likely five years, fee likely 20 per cent gross restaurant, fee likely 25 per cent gross fast food."

The Speaker: The question.

Mr Brandt: Is this the kind of proposal call the minister is proud of having submitted on behalf of this government through Patricia Starr at Ontario Place for the \$1-million-plus operation? Does he consider that—

The Speaker: Thank you.

Hon Mr O'Neil: Again, the Provincial Auditor is in there doing a comprehensive study. That is one of the things they will be looking at. I might also remind the member that the allegations made by this particular gentleman from whom the member received that are the subject of litigation. If his claims have any merit, Mr Jupp is free to pursue them in the normal manner through the courts as is being done at the present time.

Mr Brandt: Ms Starr at one point wrote a memo to the minister indicating that she was very pleased he stood firm in the face of legal threats from the Kelly's operators as well as others who were upset with the way in which this entire matter was handled. She also goes on to compliment the minister on the assistance he provided to her during that particular time. Could the minister indicate what kind of assistance he gave to Ms Starr and Ontario Place while these legal threats were being pursued with Ontario Place.

Hon Mr O'Neil: Just as I mentioned to the member a couple of minutes ago, because this is being dealt with legally—I have had several calls from different people concerning this particular case. I dealt with it the same as I recommended the member deal with it just a minute ago, and that is I stayed completely out of it. I turned it over to the legal people within my ministry, and if there were any calls to be made, they made the calls. I did not interfere and they did not interfere because this matter is before the courts. That was my participation in it.

Mr B. Rae: To the same minister, if what the minister says now is the case, and I am sure we would all hope very much that were true, why would Mrs Starr have written him in the very fulsome memo I have quoted on other occasions, where she claims to have cut the deficit by \$2 million, using these exact words to the minister, "How wise we were,"—"we were"—"thanks to your assistance, to stand firm on the legal threats from Lakeshore Pubs"?

Why would Mrs Starr have described a lawsuit by a company that is unhappy with the cancelling of a contract and that feels it has been done in an unfair way as a legal threat? Why would she regard the minister as an ally in his assistance in standing firm if in fact, as he has described, the minister has consistently taken an arm's-length relationship with Mrs Starr?

Hon Mr O'Neil: I do not know what she meant by it, but I can only tell the member that I think she was pleased I did not interfere one way or another in that.

Mr B. Rae: I could only say that is not what she says in the memo. It was a "Dear Hugh" memo, signed "Patti" in a large signature, in which she claims to have reduced the deficit by \$2 million. She has provided us with no evidence to that fact. She talks about all the wonderful things that have been done. We have a long letter from Mr Jupp to the Premier. It is all a matter of the record today.

But the interesting thing Mrs Starr has to say, first of all, is, "The funds saved are being spent," and the next thing she says is, "How wise we were, thanks to your assistance," referring to the minister's personal assistance, "to stand firm on the legal threats from Lakeshore Pubs."

One moment the Liberal members are embracing Patti Starr and they cannot be fulsome enough about Patti Starr. When this memo was signed, they had their arms around Patti Starr. Now that the facts are coming out, they say: "Patti Starr? Never heard of her. Who is she?"

The Speaker: Question?

Mr B. Rae: If it was the case that the minister disagreed with Mrs Starr's interpretation of their cozy relationship, why did he not write her a memo back and say—

The Speaker: Thank you.

Mr B. Rae:—"Dear Mrs Starr,"—none of this "Patti" stuff—"I don't know what you are talking about"—

The Speaker: Thank you.

Interjections.

The Speaker: Order.

Hon Mr O'Neil: Again to the Leader of the Opposition, in any dealings or any inquiries on this particular case that I had, because it was going to litigation, it was handed over to the legal staff within my ministry or with the Ministry of the Attorney General.

I might read something for the member: "The advice of counsel from the Ministry of the Attorney General is that the claims made by

Lakeshore Pubs are without merit and Ontario Place Corp is prepared to defend the action on that basis." That was the advice that was given to the people at Ontario Place and that may be why Mrs Starr put those comments about the advice she received.

Mr Brandt: I have a question to the same minister. In June 1988, apparently there was a party at Ontario Place sponsored by Mrs Patricia Starr. That party was catered by one of the individuals who was successful in receiving one of the concessions at Ontario Place.

Can the minister confirm that such a party was held in June 1988 and can he give this House the assurance that this party did not come at a direct cost to Ontario Place and therefore to the taxpayers of Ontario?

Hon Mr O'Neil: For me to give that information to the member, I think I would have to have more details as to what the date was and where it was held. I am not familiar with the particular one the member talks about. If he has more details, I would be very pleased to receive them and check into it for him.

1410

Mr Brandt: This is exactly the reason why the documentation being secured is of so much importance and why I asked the minister earlier to make absolutely certain that documentation is secured.

The party was held in the Trillium Restaurant in June 1988. It was for the son of Patti Starr, and I am asking the minister to indicate to this House that this party was in fact paid for by those who were involved and not the taxpayers of Ontario. That is the confirmation that I want, and I want the minister to give that assurance to the House.

Hon Mr O'Neil: Again, I just say to the member that any of the documents that are there are there for any of the people doing the investigation. This particular matter that the member has mentioned again that has been raised by Mr Jupp makes certain accusations. I cannot confirm or deny those accusations.

The Provincial Auditor is in there. They will be reviewing those matters, as I say, along with any others. If there are any problems with them that are reported back either to me, as minister, or to the standing committee on public accounts, there will be action taken, but I cannot comment on any particular situations that the member has mentioned. I do not have the details of it.

HEALTH INSURANCE

Mr Kozyra: My question is to the Treasurer. The recent announcement in the budget about the

elimination of Ontario health insurance plan premiums is beginning to cause a good deal of concern for both management and labour about the implications, especially as they relate to collective agreements and employee benefits.

Specifically, some agreements state: "If there should be a reduction in the premium charge, the company's contribution shall not be reduced from the amount set out. The balance shall be applied to such other employee benefit plans as may be agreed upon between the company and the union. Pending such agreement, the balance shall be paid directly to the employee."

Does the Treasurer have an interpretation of this development that might clarify the situation?

Hon R. F. Nixon: I think the honourable member used the right word in his question. The premiums are not reduced, they are eliminated. In that sense, the wording in the agreements that he refers to should be subject to the negotiations between the two parties in reaching some sort of an agreement on their salary position or their wage scales for the coming year.

I think it is important to know that the elimination of OHIP premiums really means that it is about \$715 in the pockets of the individuals who pay their own, and for those of us, including all the members of the Legislature, whose employer pays our OHIP premiums at the present time, it means that there is a taxable benefit which we receive now which is not taxable next year. In other words, there will be \$1 billion in the pockets of individuals in the province.

It seems to me it is on that basis that employers and employees might carry on their discussions.

Mr Kozyra: Does the Treasurer think it advisable to introduce explanatory directions on this matter or does he feel that the natural course of collective bargaining will resolve the difference of opinion?

Hon R. F. Nixon: Actually, I would answer by saying the latter. I simply say again that the wording of the section in the present agreement that governs some wage situations is that if the costs are reduced; in this instance they are reduced to zero. It seems to me that really means that bargaining in good faith would be the best way to proceed for a fair and equitable disposition of the problem, if there is one.

SECURITY GUARD LICENCE

Mr Mackenzie: I have a question of the Minister of Labour. Can the minister inform this House as to why Paul Downing, former principal officer and shareholder of Securicor—who lost his licence for deliberate violations of the Labour

Relations Act for, among other things, infiltrating an agent provocateur, David Ivers, on to a legal picket line where he deliberately provoked violence—was issued a private investigation and security guard licence and incorporated as a new company, Canada Security Corp, on 1 April of this year? Does the minister have any idea of the anger this has created throughout the trade union movement?

Hon Mr Sorbara: I do indeed have a sense of how affronted some people will be that the individual was once again issued a licence. My friend the member for Hamilton East has provided some of the background. I do not think we need to go into much more detail, other than to respond to his question in this way. My understanding is that under the law that governs the issuance of those licences, the applicant had met all of the thresholds required, so the law requires a licence shall be granted.

May I say as well, though, my understanding is that the licence is restricted in such a way that he is not allowed to offer his services in any facet that relates in any way to labour relations, strikes or lockouts anywhere in the province.

Mr Mackenzie: Mr Downing, in his previous incarnation, was ordered to pay \$507,000 to the United Steelworkers of America when proven guilty of deliberately prolonging a strike. He did not pay. In fact, he defaulted. Does the minister not believe that section 8 of the Private Investigators and Security Guards Act, which says a licence or licence renewal can be issued "where in the opinion of the registrar the proposed licensing is not against the public interest," has been clearly violated by Mr Downing's contempt of the judgement against him? What steps is the minister going to take to see that this injustice is undone?

Hon Mr Sorbara: I just want to point out to my friend the member for Hamilton East that I am not sure he is directing his question to the right minister in the sense that I have no jurisdiction over that act. I do not have the authority to tell another branch of government whether or not it is acting within the law. But I want to assure him that I have the same degree of concern, particularly because of the default judgement. I think his figures were accurate, somewhere around \$500,000 in the bankruptcy that ensued thereafter.

The facts, as I am given them, are that the individual in question met the threshold test for a licence and that there are significant restrictions on the licence. But in view of my friend's questions, I will pursue it further, and if I have

the authority within my own ministry to comment further on it, then I will get back to him at an appropriate time.

FARM TAX REBATE

Mr Villeneuve: Can the Minister of Agriculture and Food tell this House the number of farm property tax rebate cheques that will be affected by his recent announcement?

Hon Mr Riddell: Somewhere between 20,000 and 30,000 cheques.

Mr Villeneuve: I hope the minister realizes that there are many implications and ramifications on the way the ownership of farms is held and a number of other questions that still remain unanswered. For instance, if a farmer earns extra income from agricultural work such as custom combining or custom farming, will this be considered as farm or off-farm income?

Hon Mr Riddell: It would be considered as off-farm income. It is income that the farmer is not making operating his own farm, but it is income he is making off his own farm. That will be considered as off-farm income.

VEHICLE AND FUEL TAXES

Ms Collins: My question is to the Treasurer. I had an inquiry from a constituent who is disabled and requires the use of a wheelchair. It is necessary for his family to own a large car with trunk space to accommodate the chair. My constituent is concerned that the new tax on fuel-inefficient cars, as announced in the recent budget, will penalize him because of his disability.

Could the Treasurer please clarify this provision in the budget?

Hon R. F. Nixon: There is certainly no intention in the tax on fuel-inefficient automobiles to interfere with vehicles that would be made available to people who are handicapped in any way. I can simply assure the honourable member that the number of vehicles that will be affected will be less than three per cent of the vehicles offered for sale and that the exclusions will, in most instances, be the high-performance cars that are not normally associated with providing transportation for the handicapped.

I can give the honourable member my assurance that there will be adequate vehicles available without paying this tax, without going into the high-performance cars that do come under the direct imposition of the so-called gas-guzzler tax.

Ms Collins: There is a line in the budget that refers to retail sales tax rebates on alternative-

fuel conversions and on vehicles for the disabled. Could he clarify this line and explain the implications of this rebate for the disabled?

Hon R. F. Nixon: I think it is appropriate that the question is asked, because it has been put to me a number of times outside the House. In the past, the policy was to rebate the sales tax on any vehicle used for the purposes of officially transporting individuals who are disabled. There were many instances where the vehicles were very expensive indeed. We simply put a limit of \$20,000 on an automobile and \$30,000 on a van. That was the limit for the sales tax rebate. From our investigations, adequate and appropriate transportation can be provided within those limits.

The member also referred to the sales tax position on alternative fuels. That does not affect the handicapped specifically, but it does reduce the difficulty and inconvenience of applying for the sales tax rebate. It gives a longer period of time during which the rebate may be applied for. It is for the convenience of those people who want to undertake fuel conversion at a later period of time after the automobile is purchased.

1420

The Speaker: The Leader of the Opposition asked to stand down his second question. I see the minister is here.

PATRICIA STARR

Mr B. Rae: I wanted to go to the Minister of Housing. It is obvious that the capital account controlled exclusively by Mrs Starr, in addition to being a slush fund for the Liberal Party principally, was also a very important source of funds and cover of funds for companies controlled by Mr DelZotto.

I want to ask the minister this question. She will recall questions that were put to her back in November concerning Mrs Starr's role at the Metropolitan Toronto Housing Authority in leaking certain information to the Tridel Corp and the fact that a numbered corporation controlled by Tridel and the DelZotto brothers completely broke the rules of the tendering process in place at the housing authority at that time.

Back in November, when I and my colleague the member for Oshawa (Mr Breaugh) put questions to her about Mrs Starr's role and the special deals being given to Tridel and the DelZotto family, her response was: "Hands off. There is nothing I can do." We now see there is a pattern. It is a very disturbing pattern.

I want to ask the minister whether she will not now reopen that file and have a look at the particular contract which was offered to the DelZotto brothers and to Tridel Corp under the guise of the numbered corporation.

Hon Ms Hošek: As the member opposite knows, decisions about contracts are made by the MTHA board. The MTHA board has people on it who are representatives who have been sent to it by the Metropolitan Toronto government, by our provincial government and by the federal government, because all three governments participate in the running and management of the housing that is part of the Ontario Housing Corp stock. So any decisions that were made were made by the board of MTHA as a board, not by any single member of that board.

Mr B. Rae: Mrs Starr leaked information. She is the minister's representative. Mrs Starr is the minister's friend, the friend of the Liberal Party, who is on MTHA. She leaked information to Mr DelZotto's companies, to Tridel. She leaked information which should have been confidential to the board and the minister cannot absolve herself of responsibility for Mrs Starr's conduct. Mrs Starr's capital account is full of payments to people who were not only Liberal Party candidates but people who were also Liberal Party fund-raisers and people who are senior executives of the DelZotto companies. This is all now part of the public record.

I want to ask the minister whether she does not feel an obligation to at least reopen that particular file to make sure that this kind of special deal for the DelZotto family does not continue to happen in Liberal Party Ontario.

Hon Ms Hošek: This is a serious matter the member is raising. If the board of MTHA decides there is a problem, it is open to it to open that file, take a look at it and see if it sees any difficulties. If there is anything wrong, they can look at that and release that information to the public.

This is a responsible board. They manage 33,000 housing units in the Metro area. As I said to the member, they represent all three levels of government that are associated with this and have been appointed by three different levels of government. They are serious people. If they think there is a concern about what happened in this matter, they are free to look at it and to make the matter public if they choose to.

Mr B. Rae: It is hard to do that when the Liberal Party hacks who are appointed and the Tory hacks who are appointed are not about to reopen an issue when the minister knows what

has happened. That is exactly the problem. That is the issue at stake here.

Interjections.

The Speaker: Order. It might be time for all members to pause. Order.

Mr B. Rae: When this matter was being considered by this House in November, it was revealed that an internal document of the housing authority said this: "Del"—that means the DelZotto empire—"requires this arrangement with a numbered company and not with Tridel itself to avoid having the site staff unionized." This is what it is all about. It is about breaking the power of workers who are trying to organize. It is about giving special deals under the table to one's friends. It is about having a slush fund in which money is transferred from the Liberal Party—

The Speaker: The question?

Mr B. Rae: —transferred back and forth between numbered corporations and nothing being done about it.

The Speaker: Question?

Mr B. Rae: In her role as Minister of Housing, will the minister not at least guarantee that in an area in which she can exercise jurisdiction she makes sure that this kind of abuse is finally investigated so we can find out—

The Speaker: Thank you. The question has been asked.

Mr B. Rae: —exactly what the special ties between the Liberal Party and the DelZotto empire in fact are?

Hon Ms Hošek: The bureau of accuracy over there at New Democratic Party headquarters is at it again. It is very clear that the reason we have a structure with responsible boards is so they can be responsible. There are three levels of government that have appointed members to that board. I know, as does the member opposite, that some of the members currently sitting on the MTHA board would be quite insulted to be associated with either the Liberal Party or the Tory party. I am sure he will be hearing from them. The issue here is that there is—

Mr B. Rae: The four people who asked to reopen the contract for sure are not your appointees.

Hon Ms Hošek: If I may answer the member opposite, I would be delighted to do so if he were interested in listening to the answer.

There is a clear process for doing this. There is a responsible board which is able to look at its own affairs. If they believe, in the light of some of the issues that we have been raising recently,

that there is a problem, and they may indeed decide that they believe that, they can reopen the question and it is up to them to do that.

Interjections.

The Speaker: We will just wait until they settle down.

OCCUPATIONAL HEALTH AND SAFETY

Mr Morin-Strom: I have a question for the Minister of Industry, Trade and Technology with respect to his involvement with Bill 208, An Act to amend the Occupational Health and Safety Act.

The Ontario Trucking Association has reported publicly that "the Bill 208 Business Coalition, as it has become known, has worked with officials at the Ministry of Industry, Trade and Technology to express mutual concern and to propose alternatives to key aspects of this legislation." The minister has met with this association and the association reports that "it seems these efforts have effectively convinced the government that Bill 208 needs revision."

Obviously, the minister is working hand in hand with industry to stop progressive legislation improving health and safety for workers in the province. Is the minister doing this in part because he and his riding association received more than \$60,000 in contributions from corporate interests last fall?

Hon Mr Kwinter: I am sure that all members, and I say all members, have heard from business interests objecting to some of the provisions in Bill 208. As the Minister of Industry, Trade and Technology, I have a responsibility to hear those concerns. The member should also know that I have personally met with Gord Wilson, who cannot by any stretch of the imagination be termed a business interest, to discuss exactly those same concerns.

I have heard from a wide range of people on both sides of the issue. As a responsible Minister of Industry, Trade and Technology, I have an obligation to listen to them and to pass along to my colleagues some of their observations.

1430

Interjections.

The Speaker: Order.

Mr Morin-Strom: It is evident that when it comes to this particular bill, industry or the corporate sector has its representative in cabinet advocating for it. I wish the working people of the province had an advocate in the cabinet representing their interests when it comes to health and safety legislation.

This minister has received, in a fund-raiser for himself, more than \$60,000 from more than 150 corporations last fall. Why is the minister representing the corporate interests solely in this matter and acquiescing to their concerns with respect to the health and safety legislation? Why is the minister not taking a stand that would reflect the interests of the working people of this province rather than those of his corporate donors?

Hon Mr Kwinter: I am sure the member will agree that when legislation comes forward, we do not take one side or the other, nor do we exclude any person who is going to be impacted by that legislation. There is ample opportunity under our system for people to make representations to all of the members in this House and to all members of cabinet.

As the Minister of Industry, Trade and Technology, I take some pride in being a champion for industry in this province. I have no excuse and make no apologies. There is also ample opportunity for other groups, depending on their interests, to make representations to anybody in this House and anybody in cabinet.

PATRICIA STARR

Mr Harris: I have a question to the Minister of Housing. We have already established that she awarded a \$250,000 consulting contract without tender to a former campaign worker who made a substantial financial contribution to the minister's campaign. We also know that Dino Chiesa received a \$10,000 consulting fee from the minister's friend Patti Starr and that he previously worked for Canada Mortgage and Housing Corp.

Could the minister tell us what information she has concerning Mr Chiesa's involvement at CMHC in the \$10-million CMHC Prince Charles project that was constructed by Tridel and spearheaded by Patti Starr?

Hon Ms Hošek: It is my information that when Mr Chiesa worked for CMHC, he had no relationship to the file associated with the building that the member has just mentioned.

Mr Harris: In fact, Mr Chiesa was employed by CMHC until May 1987. This morning CMHC confirmed that, as manager of program operations, it was Dino Chiesa who recommended the approval of the Prince Charles-Patti Starr project, and indeed that it was his pet project and his file.

Given what we know about Patti Starr and her use of the political slush fund that came out of this project, given the established ties of Patti

Starr to the minister, Tridel and the Liberal Party of Ontario and given that Mr Chiesa was not only involved in the project but that it was in fact his project, I really would like to know if none of this is of the slightest concern to the minister.

Is this relationship with Dino Chiesa and all of the players involved in this whole controversy of no concern to her and her ministry's role of dealing in a fair manner with all of the corporations in Ontario?

Hon Ms Hošek: It is of great concern to me that we do our work as well and as fairly as we possibly can. I understand that it is the member's wish to put as many things together to create the sense that they are all related. I do not know if they are all related. What I do know—

Mr Harris: I am not putting them together. I didn't put the people together. I didn't do this.

Hon Ms Hošek: Would the member like to listen to the answer to the question he asked? Perhaps he will give me that courtesy.

My concern is that we do our work the best way we know how. The member knows that very well, because I have told him this before in the House. When we in the ministry were looking for someone to look at the whole question of how we used government land as well as we knew how, partly in response to the concerns mentioned in the opposition and in the third party about the way we were using government land to help with people's housing needs, it was decided that we needed someone who had those skills.

The deputy minister developed a sense of what kind of skills were required. He developed a list of criteria. Five people met those criteria.

Mr Harris: The only skills that we have seen are his connections. He has connections. Those are the skills that he brought.

Hon Ms Hošek: Let me finish, if I may. Five people met those criteria, and that is why Mr Chiesa was offered a job. It seems to me that is extremely important and that is why he is working together with the ministry to do the work associated with land development for the benefit of the people of Ontario, so that we can make sure that our land is used well for people who need housing help.

FAMILY VIOLENCE

Mrs O'Neill: My question is to the minister responsible for women's issues. As the minister is aware, conservative estimates indicate that one in 10 women are physically abused by their partner. The minister himself has acknowledged that the impact of wife assault is far-reaching.

Indeed, studies on children who witness such violence indicate that serious behavioural problems are 17 times higher for boys and 10 times higher for girls.

While I was delighted by the minister's recent announcement of the additional \$5.4 million for the joint family violence initiatives, I must point out that the unfortunate needs still exist.

I would like to ask the minister what other measures will be undertaken to address this problem, particularly those things that have to do with services to shelter homes and the staffing ratios of those homes.

Hon Mr Sorbara: I want to thank the member for the question and congratulate her on her interest in the whole issue of domestic violence. I want to say to her and to every member of this House that we have a very significant obligation, as a Parliament and as a province, to do every single thing we can to confront, deal with and eliminate the problem of domestic violence.

I would encourage the member, other members of this House and every resident of this province to become a serious and committed advocate in the campaign to eliminate from our province and our country the terrible problem that we still confront in the area of domestic violence.

Frankly, as minister responsible for women's issues, I feel that domestic violence and sexual assault against women are two of the most challenging problems and issues that I, as minister, face and that we, as a province, face because it is clear to me that one cannot truly speak of equality of women while we still have these problems that are here.

To answer the question of the member for Ottawa-Rideau, I simply want to say that our commitment of \$5.4 million this year in enhanced programs will add very significantly in those areas that she referred to.

Mrs O'Neill: As we in the Legislature are all aware, the government is now halfway into its fourth year of a five-year commitment to address the issue of wife assault and prevention.

I would ask the minister if plans are in place to assess and evaluate the effectiveness of the initiatives we have taken thus far to see what we have done, what we might have done differently and what must still be done. Furthermore, this government must continue its commitment to this extremely important issue beyond the five years. I hope that commitment will be reinforced with the minister's answer.

Hon Mr Sorbara: I hope as well that we can complete our five-year commitment to a program

that is comprehensive and has initiatives out of some 15 ministries, if my memory serves me well.

The question from the member was about the evaluation of programs. As I said, we improved services in this area by some \$5.4 million just seven weeks ago. If the member looks at the increase in expenditures from 1985 to the present, she will see that the increase in funding in programs has gone from some \$16 million to some \$40 million over the past four years. But simply increasing funds is not enough. The member is right. We have to do a careful evaluation. It is not sufficient just to spend more money, but to spend more money wisely and well.

We have in place now an evaluation program looking at all the initiatives we have undertaken. We are, in a sense, preparing for the second phase of this five-year program. But I want to report that the key services, like shelter and education services, are doing, I think, marvelously well under very constrained circumstances, and certainly constraints of resources as well.

1440

CHRONIC CARE

Mr D. S. Cooke: I have a question to the Minister of Health. It has now been four years since her party made a commitment to the Windsor-Essex area to replace our chronic care hospital. In fact, it was in the 1985 election that the present Minister of Consumer and Commercial Relations (Mr Wrye) said that if the Liberal Party was elected the sod would be turned for the new hospital by the end of that calendar year. It is now 1989. The sod has not been turned. There have not been final approvals given for the hospital.

Can the Minister of Health tell the people of Windsor-Essex, and in particular the chronically ill, when our old 80-year-old chronic care hospital in a school is going to be rebuilt and a new chronic care hospital put in place?

Hon Mrs Caplan: I would like to acknowledge the interest in the need for appropriate and effective planning in the Windsor area by the members on all sides of the House who represent the Windsor area. In fact, a number of discussions have been held with numerous members of this House.

I can say to the member opposite that as we review our capital planning, one of the things we want to ensure is that not only do we renew the hospitals and the infrastructure that must be

renewed, but also we meet the real and changing needs of the community. I want to assure him that I have discussed this matter with the chairman of the district health council for the Windsor area and I am pleased to tell him of the willingness of that council to work co-operatively with all the partners in the region to make sure we are planning for the future.

Mr D. S. Cooke: I have no idea what the minister meant. I am talking about the replacement of a chronic care hospital. I am not talking about fancy planning or more delays. I am talking about fulfilling the promise she made to build a new chronic care hospital in the Windsor community.

Is the Minister of Consumer and Commercial Relations correct when he is quoted in the Windsor Star a couple of weeks ago as saying that the Premier's Council on Health Strategy report which talks about community-based services will result in further delays for the chronic care hospital the minister and her party promised for our community? Are we going to get this hospital or are we not going to get this hospital, and if so, when?

Hon Mrs Caplan: I am pleased that the member opposite has acknowledged not only the leadership but also the advocacy of my colleague the Minister of Consumer and Commercial Relations. His leadership is in the area of determining that we meet the real needs of the community as we plan for the future.

The member opposite would know that what we are saying in a number of forums is that we want to be able to plan appropriately for the future and bring people together around the district health council table to review how we can provide those services, because our focus is on services to meet the real and changing needs of our communities.

PATRICIA STARR

Mr Brandt: My question is to the Minister of Tourism and Recreation and it relates to a contact made earlier today by my office to the minister's office that he table all correspondence that has changed hands between him, his deputy minister and Ms Starr relative to the operation of Ontario Place. Is the minister prepared to undertake today to make that documentation available to the House?

Hon Mr O'Neil: First of all, I would like to say to the member that I appreciate the call. I was made aware that he had called or that his staff had called. I would just state that we would be pleased to forward any information that he ever

requested, and we would suggest that it go through the ministry's freedom-of-information co-ordinator.

Mr Brandt: That is exactly the kind of answer that just puts this whole question of what went on at Ontario Place into total disrepute on the part of the Liberal Party. He can make that information available without going through freedom of information, which he knows will take months to process.

If he were sincere about making the information available in a public, open fashion, the minister would not give us this charade about freedom of information. I ask him again: If there is nothing to hide, if there are no shredders at work and if in fact he wants to provide the people of this province with the information they deserve, then would he make that documentation available?

Hon Mr O'Neil: The member knows that I am likely one of the most sincere members in this House. I do not know whether he said that, but I tell the member that the freedom-of-information act was something that was brought in and agreed to by his party. It is there for the protection of certain names or information. But I tell the member that any information that is there which is approved through my ministry will be released to him.

Mr Brandt: You are ducking, Hugh. It has nothing to do with sincerity. It has to do with your credibility as a minister.

Hon Mr O'Neil: No, I am not. I am not ducking at all.

Interjections.

The Speaker: Order.

BROOKSIDE YOUTH CENTRE

Mrs Fawcett: My question is for the Minister of Correctional Services. A great number of my constituents are most concerned about the security at the Brookside Youth Centre in the town of Cobourg. Over the past few months, there have been escapes from this facility, and my constituents and I are justifiably concerned for safety within the community.

Could the minister please advise us as to the steps that have been taken to ensure that the movements of these young offenders in the Brookside Youth Centre will be restricted to the confines of the fenced-off area?

Hon Mr Ramsay: I share the concern of my colleague and I am quite happy to have the opportunity to indulge in a lighter moment in this House talking about prison security.

As the member will know, we in Correctional Services took over this facility from the Ministry of Community and Social Services in April 1987. That facility had been previously operated under the old Juvenile Delinquents Act. One of the main problems with that facility as we took it over for more serious offenders was that the school, as the member knows, was outside the compound, and as we fenced it in, we had to transport the young offenders outside the compound to the school.

We now have a new facility under way. By September of this year, that school within the compound will be open and running, and we will no longer have to transport young offenders outside the fenced compound.

Mrs Fawcett: Could the minister please advise me as to when these steps will be taken so that I can assure my constituents that there will be no further unwarranted escapes?

Hon Mr Ramsay: As I previously outlined, this was a very minimal security facility that the Ministry of Community and Social Services had run under the old Juvenile Delinquents Act. As we placed more serious offenders in the facility, we had to make subsequent security advances to the place.

First, we have increased staff levels. We have also designed more security posts along the perimeter and other strategic locations within the facility so that we can have better surveillance of the young offenders in the facility. Also, as the member knows, there has been a problem at King Street and Cottesmore Avenue and we have beefed up the security at that particular location.

We feel that with the strategic improvements we have done, the staffing increases and all the other structural changes, we have better security for the people of Cobourg.

1450

SOCIAL ASSISTANCE

Mr Allen: I have a question to the Minister of Community and Social Services, who just looked at the clock to see whether he was going to escape.

Yesterday, a complaint was lodged with the Ontario Human Rights Commission regarding discrimination against visible minority women under section 8 of the regulation. The minister has indicated that some studies were done in a review by his ministry of a similar question. The study in question that I am aware of was done last November by a person who had no skills to undertake a survey, went to four Metropolitan Toronto offices, asked to see some section 8

cases and looked at them to see which ones were inappropriate or appropriate. There was no large sample involved. There was no randomness. It was not scientific. There was no question asked about racial origins.

The Speaker: And the question?

Mr Allen: Can the minister tell us, when he says in the press this morning that there was no discrimination in the application of section 8, does he indeed have any study that tells him independently whether there was or was not any discrimination?

Hon Mr Sweeney: The honourable member will be aware of the fact that the basis for the report he mentioned was 17 clients from a file of 311, which represents approximately one third of one per cent of our entire case load. I would suggest to him that is open to discussion as to whether or not it is an appropriate basis for making the decisions that were made. That is number one.

Number two was the fact that we then went to all the area offices of this ministry and pulled files completely at random that were involved in section 8 decisions to determine two things, first, whether there was any evidence to support the contention that had been made in the report—there was not—and second, to see whether or not the entire process of making section 8 decisions was deficient. The answer to that second question was yes, and that is what is being changed right now.

PETITIONS

FISHING LICENCE REVENUES

Mr Villeneuve: I have a petition against improper use of licence money and the Pearce report on the future of fishing in North America. It is addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"We the undersigned are concerned about the improper use of fishing licence revenue and the possible negative influence of the Pearce report on the future of fishing in North America.

"In regard to the first problem, it has become apparent that licence money revenue has become a replacement for regular MNR funding. Projects in our area, such as the indexed netting, RAP, St Lawrence River assessment and CFIP, which were originally funded from the general budget, are now funded by licence money. We would like to know why.

"Concerning the Pearce report, it is our view that although there will certainly be a need for advanced fisheries management strategies in the future, these strategies should involve both fish population management and user management. The Pearce report does little more than offer a way to avoid the responsibilities of effective stocking and habitat improvement.

"You asked for support of the licence so that you could carry out proper population management. You got the support. Now why aren't you holding up your end of the bargain?"

I have signed this petition and so have 450 constituents in the riding of Stormont, Dundas and Glengarry and the riding of Cornwall.

The Speaker: Just before I recognize any other members to present petitions, I would remind all members that we are not in recess or adjournment, we are in session. Thank you.

NATUROPATHY

Mr Lupusella: I have a petition signed by 145 citizens, addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of the province of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas it is our constitutional right to have available and to choose the health care system of our preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

Mrs Grier: I have a petition addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario which petitions us to "introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

Mr Matrundola: I have a petition that is signed by 267 citizens and that was collected in the office of Pat Wales, a practising naturopath in my riding. The petition is addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario. It calls on the Ontario Legislature to "introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment." It reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of the province of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas it is my constitutional right to have available and to choose the health care system of my preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

As required by the standing orders, I have affixed my signature to this petition.

Mr McCague: I have a petition signed by 135 citizens of my riding. The text of it is exactly the same as the one just read previously. I believe it to be acceptable to the table and have therefore signed it.

Mr Owen: I too have a petition addressed to the Honourable the Lieutenant Governor and the Legislative Assembly. It too is calling on our "government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment." It is signed by 117 people from my area and it is submitted under my signature.

SECURITY IN PREMISES USED BY PUBLIC

Mr Villeneuve: I have another petition addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario.

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"We request that the Ministry of the Attorney General withdraw Bill 149, An Act to amend the Trespass to Property Act, which we believe is unnecessary and without mandate.

"While we respect the rights of minorities and youth, whom Bill 149 alleges to protect, we oppose the way in which the proposed legislation will erode the ability of owners and occupiers to provide a safe and hospitable environment for their patrons or customers. We are further concerned about the legislation's potential for increasing confrontation in the already difficult process of removing individuals who create disturbances on publicly used premises."

I fully endorse this petition. It is signed by 59 constituents and I have signed it as well.

1500

INTRODUCTION OF BILLS

SARNIA-LAMBTON ACT, 1989

Hon Mr Eakins moved first reading of Bill 35, An Act respecting the amalgamation of the City of Sarnia and the Town of Clearwater and the addition of the amalgamated City to the County of Lambton.

Motion agreed to.

Hon Mr Eakins: As I mentioned earlier, the purpose of the bill is to amalgamate the city of Sarnia with the town of Clearwater on 1 January 1991, and to make the amalgamated city part of the county for municipal purposes.

PUBLIC SERVICE PENSION ACT, 1989

Hon Mr Elston moved first reading of Bill 36, An Act to revise the Public Service Superannuation Act.

The Speaker: All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Motion agreed to.

Hon Mr Elston: I have just a brief explanation to indicate that the bill provides the basis upon which pensions will be delivered to the public service. I have made contact with the various representatives of the union organizations represented under the ambit of this fund. There is, of course, the scheme of pension deliverables about which the Treasurer (Mr R. F. Nixon) has spoken before. This takes into account some of the announcements and statements that have been made through the budget papers with respect to contributions.

There are various ways in which the pension can be delivered if suitable agreements can be reached with representatives of the employees. We are looking forward to using this particular piece of legislation to provide us with the flexibility to address the modern-day needs of pension deliverables in Ontario. It also addresses the manner in which we anticipate being able to ensure indexation of public service pensions. We have also, in the ambit of this series of provisions, allowed for increases of some benefits. We will look forward to being able to pass this through the Legislative Assembly.

ORDERS OF THE DAY

ONTARIO LOAN ACT, 1989

Hon R. F. Nixon moved second reading of Bill 17, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund.

Hon R. F. Nixon: The honourable members will have become accustomed to these bills over the years. The amount of authority asked of the Legislature is \$2.6 billion. They would be aware, being as attentive to the details as I know they are, that the actual deficit of the province this year is expected to be under \$600 million, but there will be retirements of debt to be financed of approximately \$1.6 billion.

As well as that, the authority is more than for the full fiscal year. Because of advice that came from the standing committee on public accounts some years ago, the authority extends to the end of the September following the fiscal year. Additional borrowing authority will be required under those circumstances.

Also, it is expected that we, as a province, will be borrowing from the Canada pension plan on behalf of Ontario Hydro. Rather than giving the authority to Ontario Hydro to borrow directly with our guarantee, the process we have used in the province is for the province to borrow a part of its share of the premiums that accrue to the pension plan in Ottawa. It is expected there might be as much as about \$1.3 billion for that purpose. This authority is a substantial amount indeed, at \$2.6 billion, but I simply give further assurances to the honourable members that it is expected our deficit this year, in total, will be \$577 million.

I think it is worth saying in this connection that of course the operations of the government will be fully covered by our tax revenues. In this connection, we will have a substantial operating surplus of just under \$2.7 billion. All of this will go towards paying a large share, about 80 per cent, of our capital expenditures this year, and the borrowing that is referred to is for the completion of that capital account.

I feel the request is a reasonable one. The Legislature in the past has been good enough to give myself and my predecessors the authority to borrow on the credit of the consolidated revenue fund, and I ask for that authority to be continued.

The Deputy Speaker: Do other members wish to participate?

Mr Laughren: I do indeed wish to participate in this debate on Bill 117.

The Treasurer is quite right. We have agreed to support his efforts to borrow money in the past and we will do so again today. Although I think it is important to state that we do not always like what the Treasurer does with the money he borrows, we do think he has the right to borrow it, so for that reason, we will be supporting it.

We are concerned, though, about the way in which this government is running the show. We

think the very clear shift to having the local level, the property taxpayer, reduce the deficit of this government is not appropriate. That really is what has happened. While the Treasurer trumpets his efforts at deficit reduction, what he is really doing is saying: "We are going to carry on business as usual and the property taxpayer, by assuming a bigger share of education and municipal expenditures, will reduce the deficit for us. We will pay less to the municipal and educational levels at the local level and make them assume more of the costs. Therefore, they in fact will be reducing the deficit."

At some point I think the Treasurer should stand in his place and express his appreciation to the property taxpayers for all they are doing to enhance his reputation in the province in what seems to be, to many people, his attempts to reduce the deficit. I think it is time the Treasurer fessed up and was more honest with the taxpayers of Ontario and gave them credit for reducing the deficit by eating it at the local level, along with a combination of higher consumption taxes.

This is a bad time to talk to me about consumption taxes, having just received my auto insurance bill which is really a form of consumption tax.

Hon Mr Conway: And?

Mr Laughren: I have just had an increase from \$2,800 a year to \$6,000 a year for my automobile insurance. I am glad the minister is here.

Hon Mr Conway: Any explanatory note? Did you buy a new car?

Mr Laughren: There are lots of explanatory notes, which I would rather not get into.

Mrs Grier: It is called speeding to Queen's Park.

Mr Laughren: I am not pleading totally innocent in this regard. On the other hand, when your auto insurance tax bill goes from \$2,800 a year to \$6,000, it does give one pause for thought about many aspects of one's life, I might say.

Hon Mr Conway: So we are not going to get into this. Since Elie left your passenger seat, it has not been the same.

Mr Laughren: It is now out of control totally.

Hon Mr Conway: Elie was such a calming influence on you.

The Deputy Speaker: Order, please. No interjections, and address the remarks through the Speaker as you usually do. Thank you.

Mr Laughren: I could tell the members of some of the conversations the former member for

Sudbury East and I used to have on our trips back and forth, but I will save that for another day. I will save those comments for the going-away party of the Treasurer at some point.

1510

Hon R. F. Nixon: If you followed his advice you would be a member of cabinet.

Mrs Grier: No. He might be on the Environmental Assessment Board.

Mr Laughren: We are very unhappy with the way the government is shifting responsibility to the property taxpayer at the local level. Not only that, while the Treasurer sticks it to the property taxpayer and to the ordinary consumer with the kinds of taxes he has been imposing, namely, the retail sales tax, the government—

Hon Mrs Caplan: Is this the "Don't spend" speech?

Mr Laughren: I do not think this is an appropriate day for the Minister of Health (Mrs Caplan) to get involved in the debate, considering how she misled the taxpayers in Windsor vis-à-vis a new hospital. The Minister of Health knows full well that is exactly what she did.

The Deputy Speaker: Order, please. I think that is rather unparliamentary language and I would ask the member for Nickel Belt to withdraw, please.

Mr Laughren: I will withdraw the comment with "misled" that I used and let the taxpayers of Windsor decide whether or not she misled them in the past when she promised that hospital and did not deliver. It is up to the voters of Windsor to make that determination.

Hon Mrs Caplan: Continue with your "Don't spend" speech.

Mr Laughren: It is good to see the Minister of Health involving herself in the debate again.

The Deputy Speaker: No interjections, and the member will address the House through the Speaker as usual.

Mr Laughren: It is very difficult when the Minister of Health, who should be running for cover, has the audacity to sit in her place and heckle an opposition member for the way in which her government is spending the funds that it extracts from the taxpayers in this province.

I did want to talk about the tax credits that the Treasurer also talks about from time to time. The tax credits that are supposed to be used to ease the burden of taxes on low-income people and seniors in this province have not been keeping pace with other costs to these people. For example, since the 1970s, the last time we did the

numbers, they had eroded in value by about \$300 million in tax credits in Ontario. We think that is simply not appropriate.

While the Treasurer is raising all sorts of taxes, he then in all honesty should be raising the tax credits that continue to protect the people at the low-income level. That was the purpose of those credits. Yet the Treasurer goes on raising all sorts of taxes in the province and not raising the tax credits. That simply is inappropriate. The low-income people are worse off with this government than they were when the Tories were in power. That is a fact because this government has not increased the tax credits.

Mr Black: That is not true.

Mr Laughren: It is actually a fact. I know it must hurt a Liberal to hear that his or her Treasurer is meaner to low-income people than were the Tories. Now that is saying something, but it is absolutely true. We will not get into the whole question of taxpayers this afternoon although it certainly would be in order, considering the bill that we are debating. We dealt with that in the budget.

I was checking some of the numbers going back a few years, and the level of property taxes is going up at approximately double the rate of inflation.

Interjection.

Mr Laughren: The Minister of the Environment (Mr Bradley) does not seem to think that is true, but according to the municipalities themselves the property taxes are going to go up in Metropolitan Toronto, 12.4 per cent; in Hamilton, 8.9 per cent; in Waterloo, 10.4 per cent. Not all of it is the responsibility of the government, of course, because the local municipality has expenditures that it must make as well, but the municipalities figure that about half of those increases are due to the shift from provincial responsibility to the responsibility at the local level. That surely is not appropriate.

The other thing that this government and particularly the Treasurer himself have done is freeze the unconditional grants to the municipalities and the road assistance grants. He uses the word "freezes," but in fact he means "cut." If we have an inflation rate of five per cent and he says he is freezing the level of grants," he is really cutting it five per cent. That is what he is doing, because the rate of inflation eats into that. So here we have the Treasurer talking on the one hand about how he is increasing grants to municipalities by eight per cent when in fact he is cutting grants. He is cutting the unconditional grants and he is cutting the grants on road assistance.

He is talking out of both sides of his mouth. One side is saying he is giving the municipalities an eight per cent increase and the other side is saying he is freezing the unconditional grants and the road assistance, which really means cutting them. Besides, much of that eight per cent increase that is going to municipalities is going in areas where the municipalities must make matching grants. I am thinking of day care, welfare and public transit.

When the Treasurer and the Minister of Community and Social Services (Mr Sweeney) talked about the Social Assistance Review Committee, the Thomson report on social assistance reform, they did not quite carry through the way they could have. As I recall, Judge Thomson recommended that social assistance be a provincial responsibility, not partly municipal. Until we have reached that stage, we really are not dealing with social assistance the way we should be.

On the Ontario health insurance plan payroll tax, which was raised in question period today by the member for Port Arthur (Mr Kozyra), as I recall, while I endorse totally—as this party has for a long, long time—the abolishing of OHIP premiums, the Treasurer simply is going to have to look after public bodies out there that simply cannot cope with the increased costs.

I understand that the universities have been given reassurances that they are going to have their grants make up for the increased costs of their paying the payroll tax for health care to abolish the OHIP premiums. I assume that all universities are having that done. I would be interested in knowing from the Treasurer what time commitment he has made on paying for the extra costs for those institutions, so that they can absorb the costs of the OHIP replacement premium, the payroll tax premium.

I would also like to know whether any commitment has been made to the school boards or to the municipalities. Metro Toronto tells us that the increased cost to it alone will be \$1.4 million. I believe that announcements have been made about all the post-secondary institutions, but I would appreciate clarification as to what extent that is going to continue and to what extent that is just to ease the pain this first year, after which they will have to absorb that themselves.

We intend to vote for Bill 17, but I did want to express the concern we have with the way in which the Treasurer is shifting costs to the local property taxpayer. If there is ever a tax revolt in this province I predict it will come at the local level, and a lot of that responsibility will not be

on the shoulders of the local municipal politicians; it will be on the shoulders of this Treasurer.

Whether or not he is still the Treasurer at that point remains to be seen because we do not know how long it will take before a tax revolt occurs, if ever it does. But it is inappropriate that the Treasurer would be shifting so much of the responsibility to the local property taxpayer while he pretends he is reducing the provincial deficit when in fact it is the local property taxpayer who is doing that.

Hon R. F. Nixon: I will comment briefly and then I can have some windup remarks after the debate is completed. It is interesting that the honourable member, in his inimitable fashion, is talking about a tax revolt. It is difficult for us to perceive that the opposition members would support or even think of a tax revolt. As far as I know, there have been only two questions on the budget asked in the House since it was brought before the House.

Really, I do not recall a time in the last 100 years when there has been less interest in the budget, particularly one of this importance, in the Legislature of Ontario. We have received phone calls from interested citizens who do not seem to have anybody in the House to speak for them, and a few letters, I must say, as well as some specific calls. But as far as tax revolt is concerned, if we go by the response from the members of the opposition parties in the Legislature, it looks as if the budget is welcomed with open arms.

1520

The honourable member is also certainly aware that the overall grants to municipalities have grown substantially this year in spite of his concern that we are offloading to the municipalities. The overall increase is from \$4.1 billion to \$4.5 billion: an overall increase of eight per cent. I wish it were more, but it is certainly substantial.

School boards' capital, for example, is 30 per cent year over year. We have also arranged to preflow the capital so that the school boards can get on with their financing without delay.

As far as the employer health levy goes, the honourable member asked a question particularly. He was in the House last week when I announced additional financing of an interim nature to assist the hospitals and universities and colleges in this regard. I also said at that time that in the regular announcements that the Treasurer makes in the fall—usually November or early December—of course, those additional expenditures would be taken into account; not as a

separate amount, because we simply have a year-over-year increase announcement.

Mr Laughren: Someone else was speaking in my other ear when the Treasurer was responding at one point.

Hon R. F. Nixon: I know what that is like.

Mr Laughren: I did not understand the Treasurer's statement on municipalities and school boards as to what extent those bodies have been assisted concerning the payroll tax in the way the hospitals and universities and colleges have been.

When we combine the freeze on the unconditional grants, the freeze on the road assistance and some other provincial initiatives like the municipal-industrial strategy for abatement and pay equity that cost the municipalities a lot of money, even though they may be appropriate to have in place—I am not questioning that—it does put an undue burden on the municipalities and through them on the local property taxpayer. To what extent is the Premier—the Treasurer—gee, I should not make that mistake—prepared to stand in his place and recognize the fact that those bodies have problems just like the hospitals, the colleges and the universities? I would appreciate a response from the Treasurer.

Mr Harris: I do want to participate briefly in this debate.

Hon R. F. Nixon: It is not the size of the caucus that counts.

Mr Harris: I concur with the Treasurer's interjection. I note he pointed out that I was absent at the beginning of this debate or that nobody from my caucus was here, I believe.

Hon R. F. Nixon: No.

Mr Harris: Oh, that was not what he said.

Hon R. F. Nixon: No, no.

Mr Harris: Oh, well. In any event, I was busy outside meeting with the media on the Pattigate, Chavivagate, Liberal Partygate affair.

Mr Laughren: On a point of order, Mr Speaker—

The Deputy Speaker: A point of order, under which standing order?

Mr Laughren: I trust the member for Nipissing (Mr Harris) will forgive me for this, but the Treasurer's comment about it not being the size of the caucus that counts provoked me and I think it is appropriate that we have a quorum in a debate as important as this.

The Deputy Speaker ordered the bells rung.

1525

The Deputy Speaker: A quorum being present, the member for Nipissing may resume.

Mr Harris: I do not want to spend a great deal of time on this particular bill. There are some other more damaging and contentious and, I would suggest, hideous bills the Treasurer has in Orders and Notices that we will have the opportunity to comment on, but I do want to point out a few interesting facts.

We are dealing with a bill empowering the government to borrow \$2.6 billion to feed its appetite for the increases, double and double-and-a-half the rate of inflation, we have seen from this government year over year. I suppose I ought not to blame the Treasurer—in fact, I do not blame him—for the fact that neither he nor anybody else has been able to contain the massive spending increases the Premier (Mr Peterson) has authorized for his cabinet.

Indeed, I know the Treasurer, in the spirit of cabinet solidarity and confidentiality, must support his Premier, although I am sure secretly and quietly he is as frustrated as we are and as the people of this province should be with the fact that this province is so totally out of sync with every other senior level of government across this country.

The federal government spending increases in the last five years averaged 3.5 per cent on its own programs. If you look back over the past four or five years, the other provincial legislatures increased their own expenditures at or below the rate of inflation. Then of course this government is now up about 50 per cent in its five years, double or double-and-a-half the rate of inflation year over year and in this budget, necessitating this borrowing.

I am most intrigued. If we look at this budget right at the start and take the \$400 million that was preflowed and put it in the appropriate year where it belongs, we are looking at double the rate of inflation again, close to a 10 per cent increase in spending year over year. That is why we must once again borrow this money.

I point out a couple of interesting statistics as well. The total debt of this province when this government took over in 1984 was just over \$30 billion. This government has been in power through five of the highest growth years, five sustained years, something that this country, and certainly this province, historically has probably never seen before, not this type of sustained growth—revenue increases that come in without tax increases.

Of course, when you add the crippling tax increases this Treasurer has brought in to try to

keep pace with the Premier's rampant spending, you will realize the massive amount of money he has had coming in through increased economic activity and through the massive tax increases. In spite of that, over these five years the total debt of this province has gone up fully one third, from \$30 billion to \$39.9 billion or close to \$40 billion this year.

Can anybody believe we are going to have five years like this again any time in the future? One would hope so, of course, although the Treasurer is not budgeting for that himself; he shows a great slowdown in the rate of growth. On behalf of the poor, beleaguered taxpayers of this province and on behalf of the young, who will have to repay this money, I find it absolutely irresponsible that the debt of this province has gone from \$30 billion in these five years to very close to \$40 billion.

1530

Another interesting figure that I am sure is a rather scary figure is the public debt interest, the amount paid in interest; this is, of course, the debt that is there. Even after the recession and the very difficult times of the early 1980s that preceded this government's taking over—I might add that it was this Treasurer who, that summer when he took over, complimented the former Conservative government for the wonderful fiscal and financial affairs he discovered the province in. He said, "You know, I inherited a very well managed, well run province."

Interjections.

The Deputy Speaker: Order, please.

Mr Harris: I do not think I am paraphrasing beyond what the words were. Certainly that is the intention the reporters reported, and I believe the Treasurer. But at that point, when he took over, we were paying \$2.9 billion in interest. That was just on the debt. That is a scary figure. That bothered me. In spite of the recession and in spite of the most caring way we had to help those less fortunate through those difficult times, I still was a little concerned that in interest alone we were paying \$2.9 billion.

Then the good times came, and we had five years of growth and five years of massive tax increases; five years of money rolling in from the federal government; five years of \$2 billion in revenue that came into this province which the Treasurer did not even budget for. Those are what are called excess revenues. "We think we will get this much; this is our budget." Over those five years, \$2 billion came in.

What did the Treasurer do with the \$2 billion? I am sure he said: "Gosh, Premier, we've got \$2 billion more than we thought we were going to have. Shouldn't we reduce our deficit? Shouldn't we reduce our debt?"

Interjections.

The Deputy Speaker: Order, please.

Mr Harris: The Premier said, "No, we've got \$2 billion extra dollars. We'll spend that money."

Interjections.

The Deputy Speaker: Order, please.

Interjections.

The Deputy Speaker: Again, may I remind all members of the standing orders: one member at a time.

The member for Nipissing. I would like to hear what the member says.

Mr Harris: I understand the discomfort of the Liberal members in hearing these figures. In fact, if I were in their shoes, I would be very uncomfortable and would want to interject and try to—

Interjections.

The Deputy Speaker: Order, please.

Mr Harris: —distract me, too. Indeed, I understand where they are coming from. It is an embarrassing and very uncomfortable position to be in.

What is that interest payment of \$2.9 billion today? Now we are paying \$4.29 billion. Almost \$4.3 billion is now being paid in interest alone. Indeed, that is why we have to have this bill to borrow \$2.6 billion.

I want to put a couple of other things on the record. The Treasurer has said repeatedly that the reason he had the high taxes and the reason he must borrow money to keep up with spending is that the federal government is cutting him back. It is cutting back the transfers. The Treasurer may carefully use his words and say, "That isn't exactly what I said," but if that indeed is the impression that is left out there, who am I to object to that?

I would ask him, knowing that the Treasurer will have two minutes to comment on my remarks, whether he would respond and just confirm for me two figures, which are his figures, in his budget. The first one I would ask him to confirm—this is his budget document, the one with the Stinking Benjamin on the front, reflective of the budget—

Hon R. F. Nixon: Trillium erectus.

Mr Harris: —is on page 40, and his officials are looking up and will fire it to him and the Treasurer can indeed confirm whether I am correct—

Hon R. F. Nixon: I have it right here; wait a minute.

Mr Harris: I am sorry, it is on page 41, the consumer price index: He projects for the next year that across Canada inflation will be 5.2 per cent and that in Ontario he thinks it will be 5.8. That is probably because we have such a free-spending government here that will contribute to inflation, more so than across the country, but I would just ask the Treasurer to confirm a 5.8 per cent increase in the cost of living that he projects in his budget for the province, and indeed 5.2 per cent that he projects for the country. I would ask him if he would confirm those figures in his comments.

I would ask him to also confirm, on page 58 of the budget, where we have the total of the payments from the federal government to the province, that indeed the figures are "interim 1988-89, \$5.114 billion" and that he budgets that the federal government will transfer to him \$5.469 billion. Those are the Treasurer's figures, and indeed he could confirm as well that that rounds off to seven per cent.

All I would ask the Treasurer to do is to confirm that inflation across this country is 5.2 per cent and that the federal government, in spite of the massive debt problems it has inherited and still cannot seem to be able to work its way out of—and gosh knows, I think we should all be giving it every bit of co-operation we can, because surely the biggest problem facing this country and this province is that massive debt at the federal level—in spite of the fact it has that problem, in spite of the fact that spending on its own programs this year is up about 3.6 per cent, it is increasing its transfers by seven per cent to the richest province of this country, Ontario.

That is well in excess of its own spending, well in excess indeed of the rate of inflation for Ontario, and it is short only that amount that it cannot seem to— While they can transfer more than the rate of inflation, while they can transfer an increase in excess of what every other government of this country is spending—the increases of every other province—the only thing I think the Treasurer can say is that they have not been able to keep up with the Premier and his capacity to spend double the rate of inflation. I am surprised that the federal government is transferring in excess of the rate of inflation to Ontario.

I would ask the Treasurer if he could confirm those numbers, and then he can take whatever time he wants to fudge it around and hedge it or however he does those things; that on page 58 indeed his document says the Treasurer will get seven per cent more from the federal government this year than last year, and indeed his document says that inflation is 5.2 per cent and confirm for all the people of this province that the federal government is transferring to him more than the rate of inflation. Surely he cannot use that as an excuse to not be able to keep up with the spending that his Premier has inflicted with such damage to this province.

I will have much more to say later in the day as we get into the more substantive bills. As you know, Mr Speaker, it is not within our power to hold up this borrowing—I suppose we could hold it up. I am not sure that is particularly responsible, and knowing, as the Treasurer would know, that I would never hold something up unless I was doing so in a very responsible way, we will not oppose this proceeding on second reading today.

1540

But we are not happy that this type of borrowing is going on in the fifth year of such economic boom in this province and we are not happy that the Treasurer has seemed to found his excuse that the federal government somehow or other is not giving the Treasurer what he thinks the province is entitled to when indeed Ottawa is transferring to it in excess of the rate of inflation. I do not really know where they can possibly find the money to do that. I was astounded myself, when I saw the figures, that they are transferring seven per cent more this year than they did last year.

Hon R. F. Nixon: I would like to comment briefly. I always like to hear the honourable member in full flight. If it is any help, I can confirm to him and to any other interested persons and taxpayers that the figures he brought to the attention of the House are correct. I would just like to put them in perspective for about 50 seconds.

Although the grants from the government of Canada have increased, as he pointed out, they have increased at a rate only about half as great as the growth in the expenditure in Health, which this year is just under \$14 billion, capably administered by my colleague. The fact that she is now being criticized for not coming forward and building more hospitals is simply an indication that there is not enough money in the Treasury for the Minister of Health to acquiesce

to the needs in the communities as they have been assessed.

I would just like to point out to the honourable member, however, that earlier in this decade, when another government had the responsibility for directing the affairs of Canada, they paid about 51 per cent of the cost of medicare right across the country. Now this has fallen down to well below 40 per cent, as a matter of fact to 37 per cent. That is why we have had to add substantially to medicare in order to meet the needs which the honourable member and his colleagues very properly point out to us—that is their duty, along with our own members—are felt for improved medicare services in all parts of our province.

I would also like to say that when it comes to the national debt as compared to the provincial debt, he is correct in his comments that the situation in Ottawa is very serious indeed. We sincerely hope that the policies of the government of Canada are going to constrain its expenditures more effectively and that its revenues will be more productive than they have been in the past so it will no longer have to pay more than 33 cents out of every dollar in interest. I am very glad to report to the honourable member that we pay just over 10 cents out of every dollar in interest. That is a lot of money, but it is better than some other jurisdictions.

The Deputy Speaker: Does the member wish to respond?

Mr Harris: Yes, I do wish to respond. I want to thank the Treasurer for confirming that the federal government has transferred a seven per cent increase, that the transfers that come from the federal government to the richest province in this country are up seven per cent; and that inflation across this country is 5.2 per cent. Therefore, in spite of the horrendous problems the Treasurer also acknowledges the federal government has, it has transferred in excess of the rate of inflation to Ontario.

I also want to say this to the Treasurer: He made mention of 33 cents on every dollar that is collected by the federal government now paying interest only. It is a staggering figure. Indeed, it works out to close to \$40 billion, which, to put it in perspective, is the entire budget of Ontario being paid by the federal government as interest on the debt alone. Those figures are within a billion dollars or so of each other, about \$40 billion. That is a scary, staggering figure.

I believe very firmly that the people of this country and indeed the people of Ontario are looking for governments to work together, for

municipalities, school boards, the provincial and federal governments to work together to solve the biggest problem we face today, and which, as the richest province, we have to be most concerned about: the federal debt.

The Treasurer does not help solve that problem when he cries and screams that he is not getting enough money, as the richest province. He helps solve that problem when he works co-operatively with that government towards that end. I would encourage him on behalf of Ontario citizens to indeed do that.

Mr D. S. Cooke: I want to take a couple of minutes to talk about an item that should be included in the plans the Treasurer has had for capital expenditure, for borrowing money in this province.

I am glad to see that the Minister of Health is in the Legislature so she can hear a few words of what I have to say about one of the most frustrating experiences I have had as a member of provincial Parliament in trying to get this new chronic care hospital in Windsor.

In 1985, I remember very clearly having a debate on TV with the member for Windsor-Sandwich (Mr Wrye) and the Conservative candidate June Boyd who was running in Windsor-Walkerville. The issue of the chronic care hospital and the plans for a new chronic care hospital were debated.

The member for Windsor-Sandwich said at that time that there was absolutely no problem; that if a Liberal government was elected the sod would be turned for that new chronic care hospital before the end of December 1985. Here we are in 1989 and the sod has not been turned. The Ministry of Health is still playing around with the plans that have been submitted by the hospital.

I cannot indicate that a particular member or minister has misled the House, because that would be unparliamentary, but I can clearly indicate that the Liberal Party clearly misled the people of Windsor-Essex in the provincial election in 1985, and then it misled them again in 1987 when it was running for re-election. The member for Windsor-Sandwich had all over his campaign literature that he was responsible for getting the—

Interjection.

Mr D. S. Cooke: Mr Speaker, I was very careful of what I said. I have not said that an individual member of the Legislature misled another member of the Legislature. I said the Liberal Party in its campaigns in 1985 and 1987 misled the people of Windsor-Essex by saying

we would get this chronic care hospital, and we still do not have the sod turned on the chronic care hospital.

I remember when the former member for Kingston and The Islands, Keith Norton, was the Minister of Health, and we were in committee; the member for Windsor-Sandwich was in opposition at the time. We had been talking about the chronic care hospital then. In fact, this thing has been on the drawing board since 1971. The member for Windsor-Sandwich said to the then-Minister of Health: "You approve of the chronic care hospital. If there are problems at the local level, your bureaucrats should go down to Windsor and bang a few heads together to get this thing through the process."

I say to the Minister of Health now that if she is going to put the blame back at the local level—I wish she were listening, because this is the number one health priority in our area. Four out of five Liberals have been elected down in Windsor-Essex, and one of the main reasons they were elected was because they promised a chronic care hospital, and then the government deliberately went back on its promise.

It is too bad that the Minister of Health is so bloody arrogant that she will not listen to what is happening to the elderly people in our community. It is the same old story. That is how the Tories used to behave. That is why we never got the chronic care hospital before. Now the Liberals are doing exactly the same thing. They got the votes and now they thumb their noses at the people of Windsor and Essex when it comes to health care.

Interjections.

The Deputy Speaker: Order, please.

Mr D. S. Cooke: I would like to indicate what the member for Windsor-Sandwich, the Minister of Consumer and Commercial Relations, said in the Windsor Star on Friday, 9 June. He said that not only have we had the delays and the misleading of the people of Windsor-Essex by the Liberal Party, but now we are going to get even further delays because of the Premier's Council on Health Strategy recommending the alternative forms of health care.

I totally agree that alternatives are absolutely essential, but we do have to have a basic chronic care facility. It is inappropriate that our elderly, our chronically ill, are put in a hospital which is a converted school, 70 or 80 years old, which is just not adequate. The minister would not want her relatives in that hospital, and I do not think we should be stuck having chronic care people in this inappropriate hospital either.

More important, the new chronic care facility is supposed to have in it a geriatric assessment centre, a day hospital, physiotherapy, outpatient services, all of the types of services that should be provided on a community basis but which we do not have in our community because we have an 80- or 90-year-old school that is being used as a chronic care facility. The minister just says: "It's not my responsibility. It's the folks down in Windsor. Let them deal with it."

The former Minister of Health, the present Chairman of Management Board (Mr Elston), came down to Windsor, flew down and made the announcement before the last election. He said, "You've got the money here. You're going to get your new chronic care facility. Re-elect Bill Wrye. Elect Mike Ray. You're going to get your chronic care facility." Here we are now a couple of years after the election and they say: "We don't want to talk about it. It's a local problem. We're reassessing." That is totally dishonest. Totally dishonest is the only way of describing it.

I will conclude by reading the last two paragraphs of a column that appeared in the Windsor Star on this issue just last week. It says:

"The sooner other area politicians join Cooke in demanding action the better. Time is running out.

"The way this clumsy, scandal-ridden government is going, they won't be around to make decisions for Riverview residents or anyone else after the next election."

I hope the Minister of Health understands that it will not take scandals to get rid of the Liberals down in Windsor-Essex. If they do not deliver on this hospital very soon, the people of our area will throw all four Liberals out and they will deserve to be thrown out because it is clear their party to date has misled the people of Windsor-Essex.

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Hon R. F. Nixon: Mr Speaker, it does not seem to bother you that the honourable member has said that our political party has misled the people. Perhaps that may not be unparliamentary; it is simply in very poor taste. The fact that the member is indicating that the party is not keeping its promises is, of course, untrue, and he knows it is untrue. The fact that we are not responding to some sort of a timetable that the honourable member has set for the Minister of Health or somebody else has nothing whatsoever to do with the case.

I think that since we are here talking about borrowing money, the member might show a little more understanding as far as the needs of

the province are concerned and the actual requirements of all the communities put together which assess their own. I hesitate to say that all of these things are as essential as all others, but there is the requirement of about \$6 billion to \$8 billion. We have already announced \$850 million over a five-year period. The ministry and the minister's predecessor have made certain commitments which we certainly intend to keep when we can.

The honourable member will know that we have already allocated \$104 million for the Hospital for Sick Children and another \$200 million for cancer treatment facilities right across the province. We would like to be able to announce the honourable member's chronic hospital to suit him, but unfortunately we cannot. We are allocating \$190 million in capital cash flow this year. I can assure the member that the Windsor facilities will be built as soon as they possibly can be with respect to the allocation.

It is not fair to blame the Minister of Health personally and directly. It is not fair. She can only build hospitals and give authorizations for cash flow when the Treasurer makes the money available. That is my job, and I am doing the best I can. One day the member says I am taxing too much and the next day he says that not enough money is going into his home town. If he can balance that, then that is fine. The people in his home town can make their own judgements in that regard.

Mr Laughren: I understand what the Treasurer is saying, that there are only so many dollars to go around and that the Minister of Health can only spend dollars on hospitals as the Treasurer allocates them to the Ministry of Health. But that surely begs the question of what the people of Ontario are to believe when cabinet ministers go around promising that specific facilities will be built. Are we supposed to assume that that means some time in the future? They announced it—

Hon R. F. Nixon: It doesn't mean in the past.

Mr Laughren: Wait a minute now. They announced it prior to the 1985 election. They announced it prior to the 1987 election. The Treasurer just announced it now again in 1989. Are we to believe that ministers can go around promising anything everywhere? Are they going to promise whatever people want to hear and then deliver only in their own sweet time? They may think that that is not misleading the people, but I want to tell them that the people of Ontario will not put up with these phoney promises any longer.

I would like to know why the Minister of Health does not get into the debate. She has every right to get up and speak in this debate. It would be very nice to know what kind of timetable she is on. Obviously her predecessors—

Hon Mrs Caplan: There were 13 hours of debate on the estimates.

Mr Laughren: Wait a minute now.

The Deputy Speaker: Through the Speaker, please, and no interjections.

Mr Laughren: In 1985, the ministers were promising this facility. Prior to the 1985 election, prior to the 1987 election, they were promising it. May we assume that prior to the 1991 election, if that is when it is going to be, we will have another announcement saying that facility will be built?

What else can we believe of this government when every time there is an election coming up, it promises the facility and then does not deliver and saves it for another promise prior to the next election? What kind of evidence do we need? Prior to the 1985 election, prior to the 1987 election—

The Deputy Speaker: Thank you.

Mr Laughren: —and here we are halfway through and they are promising it again.

The Deputy Speaker: Time is up.

Mr Harris: The member for Windsor-Riverside (Mr D. S. Cooke) indicated that it was time for others to speak up on behalf of Windsor. I am proud to stand up today on behalf of my party to pledge our support for his efforts to hold this government accountable, to live up to its commitment of 1985, some four or five years ago now, to live up to its commitment of \$22 million.

I heard some interjections from the Treasurer that this should be taken up in estimates. On the other hand, the Treasurer also says: "I'm the Treasurer. She can't spend what she does not have and I'm the man who's responsible." So where is the \$22 million or \$23 million going to come from?

Let me suggest this to the Treasurer: He got \$2 billion in excess money that he did not budget for over the last five years and he blew it all. He frittered it all away, and \$22 million for Windsor was not his priority.

Second, in 1984 the former government promised a new hospital for North Bay. When this government took office in 1985, it cancelled the hospital for North Bay.

Interjections.

The Deputy Speaker: Order, please.

Mr Harris: They cancelled it in 1985, 1986, 1987, 1988 and 1989-90. I will tell members opposite that while I might have screamed at the time, surely they could have taken that money and built Windsor's chronic care hospital since they obviously do not intend to fund Nipissing's hospital and the one that was promised in 1984.

I leave the government with this—

Interjections.

The Deputy Speaker: Order, please.

Mr Harris: —\$2 billion in excess money cumulatively over the last five years the government has been in office, \$2 billion more than it budgeted for came in. They hired more civil servants and they frittered the money away. They did not live up to the promises and commitments and obligations they already had on the record. Even now they are making up new ones instead of living up to the ones that they promised in the past.

The Deputy Speaker: Other comments?

Le député de Lac Nipigon.

Hon R. F. Nixon: Wait a minute.

Hon Mr Sorbara: Rotation here.

The Deputy Speaker: If members want to take their turn, I would appreciate it if members would stand up when it is time for their party to make a comment.

Mr Pouliot: With the unanimous consent of the House, I see that I have a right to feel shortchanged. I see the clock is ticking away on my—

The Deputy Speaker: Proceed.

Mr Pouliot: Proceed? I am already down 30 seconds, Mr Speaker. We are under a state of siege as it is, and it does not begin to do justice. I have seldom in the short time that I have been here seen members being so agitated about what is obviously a broken promise.

Interjection.

Mr Pouliot: The minister can shake her head and say the member for Lake Nipigon does not understand, but we in this party are not only concerned about the less fortunate, of whom the government will find a multitude up north when it comes time to acquiesce and to relate to essential services, but we are our brothers' and sisters' keepers as far down as Windsor, I say to the minister. She has given the members of this House the impression that when the writs are issued, she can walk on water.

Her friend and accomplice the Treasurer of Ontario says circumstances indeed do change. The member for Nipissing has said indeed they

have changed. They have changed in a very positive fashion where the government has received a windfall of some \$2 billion. The minister went to the people of Windsor, and it was good enough for them to believe the minister in the time of an election: "Well, the minister wouldn't, would she?"

Those people are talking about an essential service. It is getting a little long in the tooth, four years—

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The Deputy Speaker: Thank you.

Mr Pouliot: For four years she has had the money and the commitment to deliver and she has failed to do so. What the people are saying to her is that her credibility in terms of that essential service in Windsor is long—

The Deputy Speaker: Order, please. There is no more time for responses. Does the member wish to respond?

Mr D. S. Cooke: It is too bad that the Minister of Health did not bother to try to intervene and express her beliefs on this, but—

Hon Mr Sorbara: She did, and you wouldn't let her speak.

Hon R. F. Nixon: The Speaker wouldn't recognize her. I was standing in front of her.

Mr D. S. Cooke: All I know is that when the Treasurer got up to speak, he said they will make an announcement when they are ready to make an announcement. It is not an announcement that we need. We have had two announcements on this hospital by their party. They have been in power since June 1985 and already this hospital has been announced twice, but there has not even been a sod-turning. What we need is somebody who has the integrity to deliver on the commitments made to the people of our area, and that obviously is not the case with the current government.

I just think that anybody who does not understand how desperate this situation is should go down and visit this facility called Riverview chronic care hospital, which is a 70- or 80-year-old school that was converted to a hospital and badly needs to be replaced. It has been our number one health care priority for over a decade, and the Liberals promised that they were going to cure this problem. They were going to solve this problem by building a new chronic care hospital but, to date, no chronic care hospital.

I flew down with the former Minister of Health when he was making the grand announcement. I took him at his word. I thought he was sincere. I should have known it was a pre-election promise

and it was a meaningless promise. All he wanted was a day's publicity and pictures with the member for Windsor-Sandwich so that they could sell themselves in the 1987 election. They had no intention of fulfilling their commitment.

As one of the representatives from that area, I am here to say I will not sit down and I will not rest until I see this government fulfil its promise and we have adequate services for the chronically ill in Windsor and Essex.

The Deputy Speaker: Do other members wish to participate in the debate?

Mrs Marland: I think if there is one thing that this current government will go down in history for, it will be its list of broken promises. It is true that in electioneering campaigns all parties and all governments make promises but, tragically, this government will have a list at its feet of more broken promises than any government in the history of this province.

The thing that I find intriguing about this government is the way it can make its multi-year announcements in terms of funding. It does not matter what it is. It does not matter whether it is health care, social services, housing; whatever the program is, it is always a multi-year announcement.

One thing that I have not been able to figure out is, what happens the next year of the multi-year announcement? I can give members an example of a fund that I am particularly interested in, and I am talking about the access fund.

Mr Black: That is when we build the schools and hospitals. That is when we build the sewer systems. That is what happens next year.

Mrs Marland: Perhaps if the member for Muskoka-Georgian Bay were interested in the disabled, he might stop interjecting and listen to what I want to say about the access fund.

The access fund was announced to be \$5 million per year for three years. However, last year was the first year of that fund and the \$5 million in 1988 was not expended. When I questioned the ministry responsible for disabled persons in estimates, its representatives said the reason it was not all allocated was that they did not have sufficient eligible applications.

Of course, that would then beg the question of this \$5 million that was not fully allocated in one year. Because it was \$5 million per year for three years, anybody in the public would assume that that money would be accumulated so that the next year there would be a balance added to it from that which was not expended the first year, but that is not how it works.

The other thing that we have learned is that with this gift for multi-year announcements, nobody at the end of each program that goes through this process—and we have now listened to it for four years—has any idea whether we end up with more or less money. It is a very clever way of plying the public with promises, because suddenly the government says, “We are going to spend X dollars for the next five years.” I think, in fact, this year we had an eight-year announcement. I am not sure what the total dollars were, but there was one program that was a multi-year announcement over eight years.

First of all, we will not have to worry about that, because this Liberal government will not be in office for eight years to fulfil that promise, nor will we have to worry about whether each of the years in between has been fully met.

But multi-year funding is a very difficult method for people who are responsible for planning, because the truth of the matter is, although it sounds good, in his own words from a few moments ago, the Treasurer said, “We help when we can.” That is true, they help when they can. But “when they can” does not always meet the commitment of the multi-year announcement that they have made.

When this Liberal government says, “We are continually criticized for raising taxes. We are always being asked not to spend more money on this, that or the other program,” the fact of the matter is that this government cannot prioritize. That is the basic problem. There are a whole lot of programs that this government announces, again because it thinks they are vote-getting ploys, which the public has not asked for.

Certainly, I have talked about one before in this House, and I still talk about it because it is still a concern for those people who are having both to pay for this program and to find the accommodation and the professional staff that are needed. That program, I would remind the House, is the reduction of class size around this province. When this Liberal government says that it does not have the money to build much-needed hospitals and when this government announces junior kindergarten, this is the same government that does not meet its commitment in health care.

I agree with the Treasurer that the health care budget is the greatest figure that it has ever been. I acknowledge that the health care budget for Ontario today is close to \$14 billion. But I also acknowledge that there is no point in establishing junior kindergarten and mandatory all-day kindergarten around this province when there are

children on waiting lists at the Hospital for Sick Children, when there are children who may not live long enough to go to kindergarten and are put at risk because they are on waiting lists.

I have heard the Minister of Health say: “It’s not a political decision that those children are on waiting lists. It’s a medical decision.” Sadly, the medical decision has already been made. The medical decision that has been made is that those children require whatever the procedure is. A lot of them, of course, are heart surgery patients at the Hospital for Sick Children.

Mr Black: It is irresponsible of you to make a statement like that.

Mrs Marland: Mr Speaker, I wish you would draw to the member for Muskoka-Georgian Bay’s attention the rules of the House. I really do object to his prattling on with his interjections. I find it very disconcerting. I do not mind one or two, but he has not stopped since I started to speak.

Mr Pouliot: Why don’t you speak on the bill? Otherwise, let the lady speak. She is a distinguished representative.

The Acting Speaker (Mr M. C. Ray): Order, please. The member for Mississauga South has the floor and the member for Muskoka-Georgian Bay can speak on the conclusion of her speech for two minutes.

1610

Mrs Marland: We talk about unrequested programs costing money around this province and some of those certainly are programs that are not for the survival of human beings. They are not health-related to the degree I am speaking of, with waiting lists at the Hospital for Sick Children, or the people around this province who are waiting for their new hospitals, for added hospital beds and for funding for staff where we have beds, but where wards are mothballed because there are no staff to staff those beds.

People are having surgery postponed. I am not talking about cosmetic surgery. I am talking about major surgery, cataract surgery, hip replacements, procedures that often mean the difference to a person’s being able to earn a living or not. When those kinds of procedures are available—I will be the first to agree with the Treasurer about the increased cost of health care in this province, but part of that is because fortunately we now have made tremendous advances in medical science.

We now are able to give people relief and remedy for what otherwise used to be so debilitating that people had to stop work and

ultimately became so ill at home that they ended up being institutionalized. The fact is, yes, health care is a big dollar, but as I have told this Liberal government so many times, it could stand on any public platform in this province and say: "We are sorry. We could not fund X, Y and Z programs, but we have funded health care. We have said to these people in Ontario that we recognize health care is of primary importance in government spending."

The problem is that until people are at risk with health or have a health problem within their immediate family, it is not a priority for anybody. It is not priority for anyone until he experiences it at first hand. Most people are healthy. It is the minority of people who are unhealthy. Only when you are faced with that on a personal basis does it really truly hit home.

I think, fortunately, most of the Liberal government members are fairly healthy in the physical sense. Recognizing that and recognizing the tremendous population growth in this province, of course we would have a health bill that would increase every year with the kind of progress medical science has made. And thank goodness. Otherwise, why would we have a cancer research fund or a heart and stroke foundation? Why would we have all these organizations raising money for medical research, whether it is for multiple sclerosis, arthritis or whatever the medical need is? Why would we spend and invest millions of dollars in medical science research for any of those illnesses if it were not to find solutions?

When we do find some of the solutions, fortunately—and we do have medical technology that gives relief and sometimes, fortunately, can procure a cure for some patients suffering from some of those illnesses—when that happens, how wonderful indeed that that relief or that cure is available, but how tragic that someone who could benefit from those programs simply is not able to access it in time because of waiting lists.

If only this Liberal government would decide that it was going to start investing from the top down in terms of human need and set its priorities with the health care system, instead of spending money on programs that nobody has asked for and nobody wants. It loads down the school systems with reduction in class size, and I can speak for the Peel Board of Education and the Dufferin-Peel board, which today have over 40,000 students in portables. If you were trying to operate a school board with 40,000 children in portables, would you want to have your class size reduced? It only means more portables. The

parents of those children in the region of Peel who are now in portables—who are now the second generation, by the way; we now have children in the region of Peel whose parents were in portables.

What that says is we have a tremendous growth in our population. I can tell members that we in the city of Mississauga have doubled our population in the last 10 years. Obviously, in the last five years, when you look at the Liberal government and the fact we have had a growth in population in Ontario, we have had double taxation. We have had tremendous economic growth and yet we still do not have the money for the remedy to these problems of accommodation.

The solution that the Minister of Education (Mr Ward) has for these boards, which are already beleaguered by the fact they are short of teachers and do not have enough classrooms, is to load more programs on them, "Let's have all-day kindergarten, let's have mandated kindergarten a year younger and let's reduce class size."

He never talks to the school boards about it. He never says to the school boards: "Is this a program your community would support. Is this your priority in education today?" Oh no, because if he had, if he had discussed it with the school boards in this province, that program would not have been announced. No, it is another series of promises. When the government is floundering around not making decisions on major issues, it thinks, "Now what can we announce that will really impress the people of Ontario?"

I want to tell the Treasurer that the people of Ontario really understand what is going on. They know what the game is. They are very intelligent people and they know that this Liberal government keeps making multi-year announcements and many promises that are not fulfilled and that it does not seem to be able to prioritize in terms of human need for government speeding. They know what all that means.

They know this is a government that ignores the Association of Municipalities of Ontario when it comes to funding priorities. They know this is a government that has received a seven per cent increase overall from the federal transfer of funds. They also know this is a government led today by the Liberal Premier, who for two consecutive years has had the largest tax increase ever. If that money was, on the one hand, taken and allocated to the first priority of need, instead of a whole lot of programs this government feels

are vote-catching, then we would not have the concern we have today from the public.

We realize that every time the funding of a major need is short-circuited by the announcement of another new unrequested program, every time that happens the public says to this government: "Don't think we won't remember. We will remember how you taxed us. We will remember where the money went and we will remind you that was not our priority."

I think, with respect, that it is a sad day for this province that the spending and the taxing continue. Yet the people in this province who suffer most, not the largest number in votes by any means because they are a minority in number of votes, but those people who suffer most and who are put at risk because the government cannot prioritize will certainly remember when the next election comes.

1620

The Acting Speaker: Are there comments and questions?

Mr Black: I think it is most unfortunate that the member for Mississauga South does her usual routine of sweeping generalizations without the benefit of any documentation. I think it is recognized that the great scare about health care problems in Ontario was nothing more than that. It was a cry during the earlier part of this winter, at a time when we were debating questions related to health care spending. The approach of the members of the opposition was to do just that, make sweeping generalizations, but they were unable to support them with facts.

What is particularly unfortunate in my view is that the member for Mississauga South should go into her antieducation stance at a time when the galleries of this building are filled with young people. Here we have a member of this House who should be responsible, who should be encouraging the education of young people in this province, speaking out against the young people who are here to watch this House in session, who are here to benefit from a learning opportunity. To suggest that the education system is somehow responsible is simply unfair and untrue. I think it is tragic that a member of this House should take that stance when the galleries are filled with young students from across this province.

Mr Fleet: I must say that the comments made by the honourable member for Mississauga South were quite amazing—no one wants to attack unduly in these things—and really rather sanctimonious at times. There was real hypocrisy when you compare what was said by her and by

her colleague a few minutes earlier. The member for Nipissing was condemning the government for any spending that was over the rate of inflation, regardless of the fact that in the area of health care the costs have been rising higher than the rate of inflation. Now what we have with the member for Mississauga South is a kind of—

Mrs Marland: On a point of order, Mr Speaker: I do not think the word "hypocrisy" is parliamentary language.

The Acting Speaker: The member for High Park-Swansea.

Mr Fleet: The fact of the matter is that the member has proposed an idea that is rather simplistic at best. She has expressed an anti-school-construction attitude and she has indicated her opposition to reducing class sizes. I am wondering if she has spoken to any parents in the school system, because surely all they have expressed when I have spoken to them is a preference for reducing class sizes whenever that is possible.

The fact of the matter is that we have aimed very much, as a Liberal government, at making the health care system more accessible. We have indeed increased our spending dramatically. That has been necessary in a number of ways. We have also moved forward with the abolition of Ontario health insurance plan premiums. That is a real way of helping people on a pragmatic basis. Those are the priorities this government has set. We are doing what we said we would do. We are advancing as much as possible the status of citizens and the health care for those citizens across Ontario.

The Acting Speaker: Do we have other comments in polite language?

Hon R. F. Nixon: I just want to respond to one of the points the honourable member made in which she felt there was something somehow misleading—I do not think that is the word she used—about multi-year commitments, particularly for capital, in an area of importance such as hospitals.

I can certainly recall being in a position in opposition of criticizing the then government for not making some commitments beyond one year so that locally elected school boards, hospital boards, boards of universities and colleges could plan for capital development. The fact that they might be disappointed from time to time when their requests are not granted, simply means that when there is a decision made by government that they can go ahead with some capital construction, the local community can go ahead

and raise the money that may be a part of their share of whatever capital might be needed.

For example, in health the multi-year commitment is \$850 million. This year, \$180 million of that will be spent. The honourable member spoke about schools most movingly. In the last year of the Conservative government about \$76 million was allocated for new schools. We are allocating \$300 million a year, and I have made that commitment on behalf of the government for four full years. The school boards, although they may feel the capital is insufficient, will know that in the future their school requirements are going to be met.

The same is true for colleges and universities, where \$110 million a year has been committed. Once again, this is not meeting the needs and desires of the university boards, but at least it enables the minister to indicate more than just this year, what is going to be available next year and the year after so that appropriate planning can take place. I do not think it is misleading; I think it is sensible budgeting.

Mr Laughren: I can say it during my comments or perhaps make it a point of order, but I think there is a precedent in this assembly in which the word "hypocrite" was ruled unparliamentary. In order to prevent a decline in the—

Mr Fleet: Mr Speaker, can I rise on a point of order?

Mr Laughren: I think I am in the middle of one. I do think it would be appropriate for the member to withdraw his comment.

Mr Fleet: That was the point I was rising on.

The Acting Speaker: I was going to address that issue after the time-limited speeches were concluded. We have approximately a minute left in comments before the member for Mississauga South gets her response. Do we have any other comments?

Mr D. S. Cooke: You're going to lose your chairmanship over this one.

Interjections.

The Acting Speaker: You have already had an opportunity to comment on the speech.

Mr Fleet: I rise on a point of order then, Mr Speaker.

The Acting Speaker: What is your point of order?

Mr Fleet: If I have inadvertently contravened the rules of this place, I am quite prepared to withdraw the use of the word "hypocrite."

The Acting Speaker: Thank you.

Interjections.

The Acting Speaker: Order, please. Could we now hear from—

Mr Polsinelli: Is there time left to comment, Mr Speaker?

The Acting Speaker: We have approximately 30 seconds for the member for Yorkview (Mr Polsinelli).

Mr Polsinelli: I would like to bring to the attention of the House that the member for Nickel Belt is talking on a point of order and saying that "hypocrite" may be an unparliamentary term. That party should remember that a few weeks ago it did not respect the Speaker's ruling when he indicated that "lying" and calling a member "a liar" are unparliamentary. Now they have the audacity to get up and rise on a point of order. How dare they?

Interjections.

The Acting Speaker: Order, please. You people are testing my patience. Could we now hear from the member for Mississauga South.

Mrs Marland: I listened to the member for Muskoka-Georgian Bay talk about the health scare tactics we entered into, according to him, earlier this year. I think perhaps he would do well to represent some of the patients in Muskoka-Georgian Bay who indeed phoned my office who are on waiting lists for heart surgery.

It is disgusting to say that we were into health scare tactics. I would invite those members, particularly I guess the member for High Park-Swansea and the member for Muskoka-Georgian Bay, to come with me and visit Mrs Charles Coleman, Muriel Coleman, who today is a widow. Her husband waited eight months for surgery. I challenge those members who think these were health scare tactics. I would take them today to visit with the family of Paul and Martha Godman, whose child Jessica still is not through her heart procedure operations at the Hospital for Sick Children. She became ill on the waiting list and then had to have a further postponement, which in itself put her whole procedure at risk.

I am very happy to hear what the Treasurer has to say about how good they have been to the people of Ontario since the Conservative government days, but \$300 million for schools in one year is fine until you look at the fact that they have actually taken in \$1.3 billion more in taxes both this year and last year. That \$300 million for schools is an interesting figure.

Another interesting figure I would remind the Treasurer of is the \$43 million unspent by his Minister of Housing (Ms Hošek), allocated for

housing last year and unspent. What kind of government would unspend money for housing?
1630

The Acting Speaker: Before we degenerate any further, can I say that I wanted to address the question of the point of order and I am thankful the member has withdrawn the statement.

Just for the record, I would like to indicate I am advised there is a precedent in this House, that to make an allegation of another member that he is a hypocrite has been held to be unparliamentary language, as distinguished from the situation where one indicates and uses the word "hypocrisy." The first, being specific to the person, is held to be an allegation for which the Speaker should intervene and bring the member to order. In any event, we could use a little more respectful language at all times around here.

Hon R. F. Nixon: I found the debate stimulating and in many respects quite useful. Specifically, I believe there was a comment made by the critic for the official opposition about what the government might do in the future to assist school boards and municipalities to meet their additional responsibilities because of initiatives taken by the government, in this instance for the employer health levy. I should be able to tell the honourable member the increases over the year before that I announced last November, but they were multimillion-dollar increases, in spite of the indication that he has given that our transfers were frozen.

If we were to divide the announcement of these increases into specific areas of special responsibility, that is, so much for inflation and so much for different aspects of their responsibility, I am afraid that my budgeting job would become impossible. But I have given assurances to the school boards and municipalities that when the transfer increase occurs—if there is an increase, and I confidently expect there will be one announced next fall—when that transfer announcement is made, included in that will be what we consider is sufficient assistance so that the municipalities and school boards will, of course, be able to respond to their requirements under the law.

A number of comments were also made by honourable members about the state of the financing of the province. I just want to point out very briefly, particularly to the critic of the third party, who does not seem to be in his seat just at this moment, that when we took office in 1985, the budget that we had was in deficit about \$420 million for operating account. In other words, we were borrowing money in order to pay for the

groceries. A lot of members objected to the fact that we raised taxes, in spite of the fact that at the same time we carefully controlled costs, allowing costs only to go up for the kinds of programs that we felt were inadequate up to that point.

But even while we were doing that, we soon turned things around so that we were paying the full operating cost of the government and, in fact, had an operating surplus at the end of 1987. It took us two years to do that, but by good management and a certain amount of good luck, the honourable members might say, we were able to do that. But this operating surplus is now \$2.66 billion. It is substantial and it really means that we can pay a large proportion of the very large capital commitments that I was referring to just in my comments a few moments ago, without borrowing.

This really means that all of the ratios pertaining to the fiscal position of the province have improved dramatically. The Ontario deficit in the year we took office was \$3.2 billion. It is now less than \$0.6 billion. The total debt as a share of the economy this year is 14.9 per cent; the year before we took office it was 18 per cent.

The honourable members who perused the budget carefully would know that the months of revenue required to pay the total debt of the province are now about 11. The year before we took office it was 15.5 months. The public debt interest as a percentage of revenue is—I have indicated that in my brief answer—now about 10.5 per cent.

The last figure I would like to bring to the honourable members' attention—since I am afraid they do not read the right pages of the budget; they read only some of the wrong pages—is that the deficits per capita across Canada indicate, I think, the careful husbandry of our fiscal affairs.

Ontario has a per capita debt of \$158. If I can find some Conservative provinces—ah yes, Alberta, compared to our \$158, is \$572, in spite of the fact that it has wealth running out of the ground. Let's see. Quebec, a good Liberal area, is doing well—\$241. Our per capita debt is \$158 in Ontario; the federal government per capita debt is \$1,115. I feel that the comparisons, if the honourable members are going to do this objectively and fairly, as I feel I am doing, indicate the fiscal responsibility of this process.

But of course the purpose of the bill is to give me, as the Treasurer, the authorization to borrow money on the credit of the consolidated revenue fund. I appreciate the honourable members supporting the bill. Believe it or not, their

comments are listened to and in the long run, I believe, have very positive effects in most cases.

The Acting Speaker: That concludes the debate on Bill 17, so I will put the question.

Interjections.

The Acting Speaker: Order, please.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Motion agreed to.

Bill ordered for third reading.

ONTARIO MUNICIPAL IMPROVEMENT CORPORATION AMENDMENT ACT, 1989

Hon R F. Nixon moved second reading of Bill 18, An Act to amend the Ontario Municipal Improvement Corporation Act.

Hon R. F. Nixon: This is a small amendment but one I believe to be important. The Ontario Municipal Improvement Corp has been established for quite a long period of time. As I understand, if my memory serves me correctly, it was established to permit the government of Ontario—actually the Treasurer—to make loans available to municipalities for the purpose of utilizing the Canada pension plan funds that might be made available as they accrued to the credit, in that sense, of Ontario. The utilization was limited at the time to \$150 million and the proposal here is to remove that limitation.

The honourable members may recall that I made some comments under the order of ministerial statements some months ago about municipal finance and school board finance which indicated that we were going to make available some of these Canada pension plan resources to the municipalities in order to assist them in their responsibilities, so that they would be able to borrow, we hope, at an improved rate of interest. This would be to their benefit.

In fact, this amendment simply removes the \$150-million limit that seemed appropriate when the bill was passed some years ago. This will give certain flexibility to the Treasurer, the Minister of Municipal Affairs (Mr Eakins) and the Minister of Education in order to allocate some of these funds, and I would ask for the support of the honourable members in this regard.

1640

Mr Laughren: This bill is, of course, a logical extension of the Treasurer's budgetary policy of shifting costs from the province to the local property taxpayers. It was inevitable that when he started that process, he would have then, at

some point, to give the school boards the right to borrow money from somewhere like—

Hon R. F. Nixon: They have it now.

Mr Laughren: —the Canada pension plan. We are talking about this particular bill and this particular amendment. By this bill, the Treasurer is making it easier, presumably, for the provinces to get money from the Canada pension plan, which of course is a lower rate. Nobody questions that the province should be using Canada pension funds; at least, most people do not question that. I think maybe he did when he was in opposition.

An hon member: The Premier (Mr Peterson) did.

Mr Laughren: That is correct. The Premier did it when he was in opposition. He questioned it, but now, of course, the Treasurer has convinced him that not only should the province use the funds but that the school boards should as well.

So, this is truly a logical step, although I find it offensive, and I think a lot of people do. It was really inevitable. Every time I talk about school board funding, I must go back to the Liberal promise. We had a long discussion in here earlier this afternoon about broken promises, misleading, hypocrisy and so forth. I am not going to get into that debate again this afternoon. I do not think I need to. I think the fact speaks for themselves.

The Liberal Party assured the school boards and the taxpayers of this province that if it were the government, the province would pick up 60 per cent of the cost of education, with the local property taxpayer to pick up the balance of 40 per cent. What has happened since then is almost the reverse. At this point in time, the province is picking up a little over 40 per cent, and the local property taxpayer is picking up almost 60 per cent of the cost of education in Ontario.

The proportion of education costs paid for by the local property taxpayer is a higher proportion in Ontario than in any other province in Canada. The property taxpayers in this province are picking up a higher share of the total education costs, a higher proportion, than the residents of any province in Canada.

Hon R. F. Nixon: Do you want to go over that again?

Mr Laughren: I would be glad to go over that again. The property taxpayers in Ontario pay a higher proportion of the total education costs than the residents of any province in Canada. What we are saying, and I have been trying to say

this to the Treasurer for a long time, is that is inappropriate. It is inappropriate because of the promise that he and his colleagues made to the people of Ontario before they became the government. It is inappropriate because it is not the proper way to pay for education in the province. Education, surely to goodness, is a provincial responsibility, first and foremost, and that is where the bulk of the funding should come from.

The province sets all the rules on education. Almost all the standards are set by the province, and for the province to keep backing away and backing away—

Mr Reycraft: Why do we elect boards?

Mr Laughren: Well, why does the government have a Ministry of Education? They have a huge bureaucracy called the Ministry of Education, yet while that bureaucracy is there, they are taking away more and more of the spending powers of the province and transferring them to the local property tax level. I have not seen them doing anything about the bureaucracy in the Ministry of Education.

Mr Laughren: If they really think the boards of education should be doing it all—

Mr Reycraft: Nobody suggested they should.

Mr Laughren: —why do they have this huge Ministry of Education bureaucracy, I would ask the government whip?

It is very clear what the government is doing, and it is wrong on two counts: (1) because it is breaking its own promise, and (2) because that is a regressive way of paying for education in Ontario. We all know—and I think most fair-minded people would agree—that property taxes are a regressive form of taxation. They are not related to ability to pay. That is one of the fundamental reasons and should be one of the fundamental measurements of how fair a tax system is. As long as they keep dumping more and more of the obligation of education costs on to the local property taxpayer, they are making the system more regressive, and surely that is inappropriate in a province such as Ontario.

If I were a Liberal, I would be terribly embarrassed at what they are allowing their cabinet to do. I do not think that the backbenchers who seem to surround us in this chamber have diddly-squat to do with the decision, but at the same time, they are part of it. My friends have to live with it.

At the local level, the school boards are getting a bit testy with this government, and so they should be. It will be interesting to see who the

Association of Municipalities of Ontario invites to its big convention next year. Do the members really think it will be a government minister again? They are coming to the conclusion: "What is the sense of having those people here? They don't listen to us anyway." That is what the school boards are beginning to say as well.

This is one move that the government has made. Another one is the whole question of lot levies. That is another way of dumping costs on to the local level.

I hear the government say it is giving an increase in funding of four per cent in the base grants to school boards, but I can tell the members—and the school boards have all of the documents in this case—that if the government gives a four per cent increase in the base grants to boards of education, two per cent of that is going to be taken up by increases in enrolment and certain other percentages will be taken up by new rules the government has brought in, such as the kindergarten rule about everybody having access to full-day kindergarten and to half-day junior kindergarten.

By the time you take out the factors over which the school boards have no control whatsoever, they are not getting an increase from this government and it is shifting ever more costs back on to the local property taxpayer. I am glad to see that the Minister of Industry, Trade and Technology (Mr Kwinter) agrees with me.

Mr Campbell: The member for Scarborough West (Mr R. F. Johnston) is in the minister's place.

Mr Laughren: I wanted to read into the record some documentation that backs up what I am saying. I am not just speaking as an opposition member of the Legislature; this is coming to us from boards across the province. This is from the Durham Board of Education:

"You have received information indicating that 1989-90 provincial operating grants to school boards will total more than \$4.1 billion, an increase of 6.1 per cent over the previous year. However, during the past two years, the Durham Board of Education has become alarmed that this increase is in reality translating into a reduction in provincial funding at the local level.

"In particular, the reduction at the secondary level is nothing short of severe. Based upon data received from the Ministry of Education, the province contributed \$2,032 per student in the public secondary school system in 1987 and this support declined to \$1,987 in 1988." Down from \$2,032 to \$1,987. "This represents a 2.2 per cent

reduction in this government's support of the existing regular day school program.

"Based upon the 1989 general legislative grants, this board has again experienced a significant decline in the level of support for secondary school purposes and therefore speculates that even the reduced level of grants of \$1,987 per student will decline further in 1989.

"I should point out that statistics on a per-pupil basis are far more appropriate and accurate than gross statistics of provincial contributions that encompass a growth in the student population."

I think that is a point that needs to be re-emphasized; that you can increase grants, but if enrolment is going up substantially, that is not giving the school boards a true increase in grants.

1650

"The extension of funding to separate school boards and an increasing number of provincial initiatives and mandated programs and changes, this actual reduction in secondary school support per pupil, is particularly disturbing to us considering the provincial statements and directions to combat the secondary school dropout rate. Expecting school boards to increase levels of service while the province reduces their level of financial support appears to be irreconcilable to us. A joint effort on both our parts is necessary to effectively combat the current dropout rate, and this will take an increase in our resources to combat the problem."

This is signed by the chairperson of the Durham Board of Education, Mrs Lorna Murphy.

The school boards out there are seeing through, as some would call it, the smoke and mirrors of the Treasurer when he talks about increased grants to school boards. I am not surprised that he feels this bill will give them access to extra money, because they are sure as heck going to need it by the time this Treasurer is through with them. It really is unfair, to use a parliamentary word, to say to the school boards, "We are giving you more money," but then not take into consideration the fact that there are increased enrolments out there on which the school boards have to spend that money. It is not giving them an increase. I think the Durham board points that out very well.

I think most of the members of the Legislature have had letters from different school boards across the province based on this year's budget. I think that the heart of the problem is not whether there is money to be borrowed from the Canada pension plan and we are going to support this bill; that is not the issue. The issue is that this

government is cutting back on funding of education, expecting and assuming and, I guess, knowing that the local property taxpayers will pick up the difference because they really have no choice.

If we are going to have equality of education in this province, it is not going to come from this government; it is going to come from the local school boards all across the province, which, thank goodness, have a higher commitment to the quality of education in this province than this government does.

Mr Harris: I do not even need to take all of the two minutes allocated to me because I will have an opportunity to speak shortly. But I do want to indicate to the member for Nickel Belt (Mr Laughren) that I could not agree with his comments more.

I want to say how amazed I am at how much shrewder and more to the point the member has sounded to me in his budgetary debates over the past four years. There has been an obvious maturing of the member for Nickel Belt, because I can recall in the period from 1981 to 1985 that I very often did not agree with the member when he commented on the financial affairs of the province. But he has obviously done his homework very well and is now right on the mark, and I want to associate myself with the remarks that he has made today. Perhaps those in this chamber will find it strange, and perhaps it is a little strange, that one who is a confirmed socialist and indeed very well represents his party and its philosophy in his views, indeed is far, far more fiscally responsible than these Liberal rascals who are running this province today.

Hon R. F. Nixon: From my point of view, I cannot tell much difference between the two opposition parties either. I agree with the honourable member for Nipissing that they are pretty well ad idem, as we say, when it comes to fiscal matters. They both with one breath tell us to spend more and with the other tell us to reduce taxes and stop borrowing. It is rather difficult to know where the rationale is, other than they were making some sort of superficial appeal for some kind of support out in the province.

I can only count on the fact, as some honourable member said earlier this afternoon, that the electorate in this province is intelligent, because we do have good schools and good people, and it realizes that the services have to be paid for and that they have to be administered in a fair and competent way. We believe the school boards do that.

We also feel they have the capacity and the responsibility, if they particularly feel their capital is not being met quickly enough from provincial sources, to have access to borrowing. They have that access. As a matter of fact, with records that are here in the budget itself, I would say that some school boards might make more use of that access if they want to improve the situation in their local community. We think it is fair and equitable that this particular legislation give them the flexibility that democratically elected boards should have to meet their responsibilities.

Mr Pouliot: Our Treasury critic, the member for Nickel Belt, does agree with the government that the time is right to allow the school boards the ability to borrow from the CPP. One could call it, for instance, an affinity rate, a cheaper rate than what the marketplace would govern.

While he was making all those valid points, the member for Nipissing paid tribute to our colleague and said that in a few short years he certainly has displayed a maturity and an understanding of subject matters being addressed which is second to none, I should say, in this House.

The Treasurer should take some advice from the critic for the party with a social conscience, from social democrats, because we are aware, we see through the systematic and deliberate style of the Treasurer enacting legislation and not having the money to match the vision. Consequently, he has most school boards in this province being forced to tell the home owners, "Now you will pay 10 per cent more taxes or double-digit taxes.

Ten per cent is very low. Whether you are a public or separate school supporter, in almost each of the 850 municipalities in this province you are asked to shell out or fork over 12, 13, 14, 15 per cent because this government, through this Treasurer, has lessened the percentage it pays for education.

It tells us that the young ones will go at a younger age for a longer period, but what it does not do is put in the matching dollars. I think, not unlike the Peterson portables, this kind of endeavour will be judged very harshly. What the Treasurer has been doing is simply passing the buck to municipalities.

Mr McCague: I too would like to congratulate the member for Nickel Belt and the member for Nipissing for their very relevant comments. I might just say to the Treasurer, though, that I think he deserves some credit for the quality of the speeches of the member for Nickel Belt and the member for Nipissing, because I have seen

them time and time again poring over the Treasurer's previous speeches when he was in opposition. To the Treasurer does go some credit.

Mr Laughren: Of the praise that has been heaped on me, I do not know which source bothers me the more, my colleague the member for Lake Nipigon or the member for Nipissing. I do think, though, that people should not be surprised when the member for Nipissing and I are in agreement on the way in which the government is funding education in the province, because when the Tories were in power, to give the devil its due—I did not say "her" or "his"—they did pay a higher proportion of the cost of education at the provincial level than this government is doing.

I am not surprised that the member for Nipissing would find us of like mind in this regard. It really is a pox on the house of the Liberals that they are doing this dastardly deed, because it truly is unfair to be shifting all these extra costs on to the local property taxpayer. We all know that property taxes have no relationship whatsoever to income. Therefore, it is an unfair tax.

Nobody ever accused the Treasurer of being progressive. Even when he was in opposition he was considered and called a conservative critic. Everybody knew that, and we knew what to expect when he became the Treasurer, but I can tell members I did not think he would break his own promise, the promise of his own government, and completely reverse the position of the province's funding more of the cost of education and taking some of the burden off the local property taxpayers.

1700

Mr Harris: I do want to say a few words on this particular piece of legislation. The Treasurer has indicated that the legislation is intended to increase the limits of the Ontario Municipal Improvement Corp, effectively to allow the school boards, as he puts it, to borrow money to make up for the shortfall in provincial transfers. We understand what the Treasurer is doing. We understand what he is saying. We will not support this piece of legislation.

I would like to put on the record a few of the reasons why we will not support it. This legislation is designed to take pressure off the provincial government from living up to its obligations. It is designed to encourage school boards to go into debt. It is to facilitate, to make it easier, to move away from the principle of pay-as-you-go, to borrow.

We understand this government has that philosophy and that it appears to be Liberal philosophy. This government's track record is no different from the track record of other Liberal governments; in fact, it is worse than most of the ones we have seen. It parallels the worst Liberal administration in the history of the world when it came to fiscal responsibility, which of course was the one proffered by that great thinker and gentleman who, I admit, was strong-willed—he was a great thinker and had the ability to force his will on the people of Canada—Pierre Elliott Trudeau. He was very much admired by a number of Canadians across this country. Fiscally, though, he was seen as the architect of the disaster that is facing the country today.

This government, when it comes to fiscal policy, seems to have picked up on the very worst of Pierre Elliott Trudeau and tried to emulate his fiscal policy. It is a government that believes in borrowing. It is a government that believes in crippling the options and the opportunities for the future for itself. Now it will not live up to its commitments to fund its share of education and on the capital side has decreased its share of local school projects from 75 per cent to 60 per cent. I guess it is dropping fully 15 points, which must be about 20 per cent if my math is anywhere close, or maybe it is an 18 per cent decrease in the amount of the capital projects it will fund on average across this province.

It is encouraging school boards to spend tomorrow's money today and to mortgage the future of our children who will have to pay back for the frivolous overspending that this government not only does itself but which it encourages other jurisdictions to do. We are opposing this on the principle that the cancer that has infected this government ought not to be allowed to spread. We ought not to be part of a piece of legislation that encourages other jurisdictions to get involved in the same cancerous type of thinking.

This bill, I suggest, actually complements the government's lot levy legislation, which will be before us for some considerable period of time in the not-too-distant future, part of an evolving Liberal position based on the assumption that municipalities and subprovincial agencies such as school boards and municipalities indeed are better positioned to assume and service new debt than the province is.

We agree they are better positioned, because most school boards and most municipalities have been far more responsible in their finances over the years than this province has been. Indeed, they are probably in a better position to heap on

new debt. But we know what Trudeau has done to the country. The feds cannot possibly consider heaping on any more debt. They cannot keep up with the debt they have in that debt load. Now, over the last five years the total debt of the province of Ontario has increased some 33.3 per cent since these rascals have been in office.

Mr Laughren: A bunch of bandits.

Mr Harris: A bunch of bandits is right.

As I pointed out earlier, the total debt has increased from \$30 billion to \$40 billion, up \$10 billion roughly. Now they are bringing in legislation to encourage other jurisdictions to follow in the folly of their own ways and to encourage them to go out and borrow money to make up for the shortfall they are not transferring. Why is this happening? It is happening because the province has increased its own debt substantially over the last 10 years and because of double-the-rate-of-inflation growth in government expenditures over the years.

There are some interesting statistics on the tax position which they have put this province in. I know the Treasurer will be interested in this. I am referring to the release very recently of information on the 1989 tax freedom days. The Fraser Institute annually releases its reports and tells Canadians how many days of the year they have to work to pay their tithe to the government. "Tithe" is not the right word. That was back when it was 10 per cent.

Mr Villeneuve: Those were Tory days.

Mr Harris: Ten per cent days must have been Tory days, although I will confess even Tories have increased taxation beyond that.

What has happened since 1984? Here is the most recent report. Tax freedom day is the day at which you start to keep the money you earn for yourself. In 1984, it was 18 June; 1985, 21 June; 1986, 25 June; 1987, 30 June; and 1988, 4 July. What is the date today? In 1989, it moves to 7 July. For over 50 per cent of the year, and moving more and more in that direction in this province, Ontarians are working to pay taxes.

What has happened in the other provinces over this same period of time? Members would be very interested to know what has happened in this wealthiest province, this province so blessed by geographic location to the great markets to the south of us, this province so blessed with concentrations of wealth, head offices and population, and with the opportunity for economies of scale not available to many of our sister provinces. What has happened to this most wealthy of provinces? Where does it stand in its

overall level of taxation? It stands 10th, last and worst in the country today.

1710

In Newfoundland, 40.7 per cent of their income is taxed; Prince Edward Island, 38.9 per cent; Nova Scotia, 42.4 per cent; New Brunswick, 44.1 per cent; Manitoba, 46.9 per cent; Saskatchewan, 45.4 per cent; Alberta, 50.7 per cent; British Columbia, 48.3 per cent; Canada on average, 50.2 per cent; Quebec, 48.6 per cent, and Ontario, 51.3 per cent. There is more taxation as a burden on the residents and the citizens of the province than if you lived in any other province across this country.

What does this say about this government? People will say, "What has happened?" What happened in Quebec? At the same time, the tax competitiveness of Quebec versus Ontario has been pointed out to the Treasurer. Where we enjoyed a 10 per cent advantage in Ontario when this government took over, that has virtually been eliminated. That is now around two per cent when all the factors are put in.

These are significant facts when companies are deciding where to locate. Where do you want to do business? When you are coming from other countries to locate in Canada or indeed want to expand within Canada, Ontario used to be the place to be. This is no longer the case. The situation is deteriorating very rapidly and so the alarm bells should be going off.

In Quebec, in 1984 tax freedom day fell on 6 July. What has happened since 1984 in Quebec? It fell on 28 June 1987 and this year it falls on 27 June. They are moving in the right direction. Quebec is taxing less at the same time as Ontario is taxing more. This is another example of why the Treasurer must shift the burden to another jurisdiction. He has spent double the rate of inflation. He has increased taxation. I guess some have said, and the Treasurer takes offence when they say it, that this Treasurer has indeed increased taxes substantially to pay for the massive overspending of the Premier and for Peterson economics.

We are now at the danger point. This is yet another study that ought to send out a signal that we are at the danger point. It points out another reason why, to live up to what historically and traditionally has been this province's share of the capital funding of education, and they cannot live up to that, they are now shifting this to the school boards.

The member for Nickel Belt has pointed out, on the operating side of education, that whereas this government campaigned in 1985 at paying

60 per cent, increasing the provincial share, in actual fact, year after year it has decreased the provincial share. Now this bill on the capital side is complementary to decreasing their share of individual capital projects on average across this province, from 75 per cent to 60 per cent.

We will not support this bill. We will not support the encouraging of spreading this cancer of borrowing today and letting somebody else pay it back tomorrow, making that and encouraging that down into other levels of government. We say we should stand up and fight to change what is wrong. We should stand up and fight to change the attitude of this provincial government when it is wrong, not try to convince everybody else across this province and other levels of government to be as wrong as this government is in the way it is approaching the finances of this province.

The Deputy Speaker: Are there any questions and comments?

Hon R. F. Nixon: The honourable member is pretty graphic in his use of language. He talks about the cancer of borrowing money. I would agree that this word, if it can be called an adjective, is not too extreme if he is talking about borrowing money for the regular operation of the government of Ontario, the way his government borrowed money for the regular operation of the government when he was in office. Now, that was cancerous.

But if we are going to borrow money for capital works—schools, sewage disposal systems, waterworks, roads and bridges—they are going to be there for 30 or 40 years, with any help, and I do not think there is a thing wrong with borrowing money for that purpose.

The fact is that this year we are spending \$3.3 billion on capital works, and we are paying about \$2.7 billion out of our ordinary cash flow. As a matter of fact, I could imagine some fairly progressive and well-intentioned opposition member indicating that our taxes might be a little too high and that we should be borrowing more, but this is the decision we have made.

Frankly, I want to say more about this at the conclusion of the debate, if I have an opportunity, but it seems to me that municipalities and school boards share the responsibility of borrowing if they decide to make that decision for their capital works. There is nothing cancerous about borrowing money for a school. It is bad judgement to forgo having good schools because the school board or somebody else does not want to borrow to put those facilities in place.

I feel quite badly that the honourable member, who may very well become the leader of the third party some time in the future, would even speak the words he has and express the attitude he has if there is any possibility of his moving into a position of leadership. I thought perhaps I should help him in that regard.

Mr R. F. Johnston: I have just a couple of comments on this matter, if I might, and that is to say that it struck me, in listening to the member who is opposing this bill, as well as to our member who has raised some major concerns around the government's underfunding of education, that when we think about this being referred out, and I gather there has been some discussion about referring this to committee, it might be wise to think of it in the context of another bill as well, which is Bill 20. When we refer these out, hopefully they might go as a package to a committee to be dealt with. They do fit together and might be neatly handled together before a committee to deal with concerns that have been raised in this matter and will be raised around Bill 20 as well.

The Deputy Speaker: Any more questions or comments? Would the member wish to respond?

Mr Harris: First of all, let me thank the Treasurer for his indication of support for any future plans I may have. He indicates to me that the cheque is in the mail. I would like to suggest to the Treasurer that under the Election Finances Act, I do not think I could accept the cheque yet, but I confess to accepting commitments. I know the Treasurer's word, unlike that of his overall government, is a word to be respected and I do consider the commitment as future money in the bank.

I want to say this, though. The Treasurer talks about borrowing for capital as being okay and borrowing for noncapital as not being okay. I agree that borrowing for operating expenditures is indeed a bigger cancer. However, I want to say to the Treasurer that under the accounting method used by the government, there are no figures that I see for depreciation. So many of the capital items the Treasurer is talking about are repair and maintenance. When you have roof repairs to schools, they come out of the capital item, but really they are repair and maintenance.

When the government puts in a four per cent or five per cent or six per cent figure for depreciation, it will find out, as normal businesses do, that it is substantially in a very solid deficit position. The government cannot have accounting methods as the private sector has them on the one hand, and not have them on the other hand.

The Treasurer knows that and omits to mention that when he talks about financing capital.

Finally, I want to say that this is capital that used to be paid by the province when Conservative governments were running affairs and now he is asking boards to borrow because he will not live up to his commitments.

1720

Hon R. F. Nixon: I think the suggestion made by the member for Scarborough West, that this bill be treated in committee along with Bill 20, is a good one because it certainly is associated. The concept of assisting school boards in their responsibilities to provide school buildings and other school capital is part of the policy we have already enunciated.

The honourable members opposite think there is something heinous about giving more responsibility to the school boards to move forward more rapidly in the provision of their capital facilities. It is clear that Ontario, having expanded its capital commitment for schools from, I believe the number is, about \$76 million a year the year we took office to \$300 million a year with a four-year commitment, has made a huge expansion indeed. While the honourable members may feel that should be expanded still further when we see the need for new schools out in the rapidly growing parts of the province, our provincial budget cannot provide sufficient money in sufficient time to meet that need.

For that reason, this bill will permit the Treasury to allocate Canada pension plan funds to school boards for this purpose. If Bill 20 is approved by the Legislature, it also will allow school boards to allocate money from capital lot levies, which we feel will give further assistance and will no doubt be debated in the House in a constructive and useful way. I still feel and hope it will be approved.

At the same time, any school board that does not want to borrow or use lot levies may simply raise its taxes on its present assessment and pay for it as many do now, by counting on the province to simply pay the capital cost and the local municipalities to pay the operations.

The honourable member, I think, makes a good point when he says that they are associated. Other members have as well. I think that debate will be useful and important because there is not enough money that we can allocate from the Treasury, as it presently is, for the capital needs.

The member for Nipissing indicated that back in the good old Tory days this was not necessary, yet it is interesting to note that there is a special section on municipal government finance in the

budget itself. I am not sure all members would have read it as carefully as I have, but it is extremely well prepared by the officials in the Ministry of Treasury and Economics. It is really designed so that people in municipal affairs and members of this Legislature will have a fair understanding of what the capacities are, provincially and municipally, to finance these capital expansions.

I think members understand that capital borrowing and borrowing of any type is actually controlled by guidelines of the Ontario Municipal Board. I quote from page 86 of the budget paper, "The current guidelines state that a municipality should not commit more than 20 per cent of its annual operating expenditures to debt servicing (including principal repayment as well as interest)." There is that rule, and even with that quite restrictive rule there is a table on page 94, table 10, that I certainly want to bring to the attention of the members who have no doubt perused it carefully and have been struck by the impact of the numbers.

The member for Nipissing said that in the good old days the school boards and municipalities did not have to borrow. In order to match what you might call the historical debt-charge ratio that we have selected at 1979, the municipalities and school boards could borrow \$2,451,000,000. The actual limit under the OMB debt limit guideline, which is very restrictive—20 per cent of that cash flow—is actually \$7,888,000,000. If the municipalities were to borrow at a rate that would mean they would be paying interest at the same rate as the province pays—the honourable members are prepared to say, "We should borrow and hand it over"—they would have the ability to borrow \$3.3 billion, which is just less than half of the limit of \$7.8 billion.

The purpose of this is not particularly to encourage school boards and municipalities to borrow. It is simply to point out that there is capacity there under our rules and our traditions that do not go back into the dim and distant past, that the guideline there is 1979. Somehow or other, many school boards are under the impression that they do not have the power to borrow, and many municipalities, very wisely, try to make do with as low a limit of borrowing as possible. The city of Toronto, for example, which I understand has a triple A credit rating, is about as close as any city in North America to having practically no debt and could very well arrange that, if it wanted to order its business in a different way. I am not suggesting it do that,

other than saying it is a very prosperous, well-financed city.

The message in this budget paper is, frankly, that many of the municipalities have the capacity to move forward to provide the services that they are demanding be paid for, particularly by way of capital, out of the provincial Treasury. I believe the policy that has been enunciated and these bills that are before the House indicate the responsibility still, as it always has, lies in substantial degree with the municipalities and school boards.

This particular bill before us enables the Treasurer now and in the future to provide some substantial assistance in the debt cost by making Canada pension plan funds available. I regret the third party has indicated it will not support even that sort of flexibility, because it makes eminent good sense. But as usual, we can count on the official opposition to support us when it comes to matters of this import and I appreciate the fact the critic has expressed that support.

I ask all reasonable and informed members of the House to support the bill on second reading.

The Deputy Speaker: Mr Nixon has moved second reading of Bill 18, An Act to amend the Ontario Municipal Improvement Corporation Act.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Motion agreed to.

Bill ordered for standing committee on finance and economic affairs.

DEVELOPMENT CHARGES ACT, 1989

Mr Polsinelli moved, on behalf of Hon Mr Eakins, second reading of Bill 20, An Act to provide for the Payment of Development Charges.

Mr Polsinelli: On behalf of my colleagues the Minister of Education (Mr Ward) and the Minister of Municipal Affairs (Mr Eakins), I am pleased to present the Development Charges Act for second reading.

As set out in section 2 of the bill, the Minister of Municipal Affairs is responsible for the administration of parts I, II and IV and the Minister of Education is responsible for part III.

The legislation provides municipalities and school boards with the authority to adopt bylaws to finance growth-related capital needs through the imposition of development charges. Lot levies have been imposed by urban municipalities for many years, although the authority for such levies and for front-ending agreements has

been ambiguous. This legislation addresses the concerns raised by both the development industry and local governments regarding the need for structure and accountability.

I would also like to point out that parts I, II and IV of this legislation very closely reflect the consensus positions reached after several years of dialogue among representatives of the Association of Municipalities of Ontario, the Ontario Home Builders' Association, the Urban Development Institute and the Ministry of Municipal Affairs through the minister's working group.

It is the government's intention to release draft regulations and guidelines relating to both the municipal and education components of the legislation. There will be a consultation period during which interested parties may make suggestions regarding the technical implementation of the legislation.

1730

We also intend to refer this bill to a standing committee for further deliberation. I understand that will be the standing committee on finance and economic affairs, which is dealing also with Bill 18.

At that time, we shall bring forward some minor technical amendments as well as a change to section 43, which as currently written would not allow development-related charges of any kind to be levied during the period between the passage of this act and the passage of a development charge bylaw which conforms to the act. This hiatus was not intended. The amendment will ensure a smooth transition period which will enable municipalities to impose development charges without interruption.

My colleague the parliamentary assistant to the Minister of Education and member for York North (Mr Beer) will be making representations to issues relating to school board development charges in part III of the bill.

Mr Laughren: I was just hoping that the parliamentary assistant would table with the House the compendium of the agreements that were reached in coming to this bill. The parliamentary assistant stated that this was the result of many years of consultation and consensus—I believe that was the word he used—with the school boards, municipalities and the development industry. I assume then that there is some material that could be tabled so that all of us could have a look at that consensus. As a matter of fact, I think that compendium should have been tabled when the bill was tabled. I think that should be a requirement.

I am assuming that the parliamentary assistant has some material to back up his statement that this bill is a result of a consensus of the school boards, the municipalities and the development industry. I anxiously await the documentation.

Mr McCague: I missed the last part of the parliamentary assistant's comments when he made some reference to the parliamentary assistant to the Minister of Education. Maybe as he replies he would repeat what he said in that regard.

Mr Polsinelli: I should point out to the member for Nickel Belt (Mr Laughren) that he is very good at talking but he is not very good at listening.

If he had listened to my initial remarks, he would have heard that I pointed out that consultation has been going on for a number of years with the Urban Development Institute, the Ontario Home Builders' Association, the Association of Municipalities of Ontario and the Ministry of Municipal Affairs, and that parts I, II and IV of this bill very closely reflect a consensus position that was reached by those parties negotiating. I think if he contacts any one of those parties he will find that the legislation, as we have introduced it, very closely reflects the consensus that was reached by those parties negotiating, after a substantial number of years in negotiation.

With respect to my colleague the parliamentary assistant for the Minister of Education, members will know that part II of this legislation divides the responsibility for the administration of the bill between the Ministry of Education and the Ministry of Municipal Affairs. The Ministry of Education is represented today by the member for York North and, as the rotation comes around to our side to speak again, he will be making representations with respect to part III of this bill.

Mr R. F. Johnston: Perhaps I should wait for the parliamentary assistant because I primarily want to speak about education matters here. I would like to launch in anyway because you can never tell, once the floor is seated, when you are going to get it back again.

I have learned these many years not to say that the member for York North has got the same reputation as a number of others of us for our loquaciousness, but you can never tell what will take place when there is only half an hour to clear my throat and really get into this bill before the House prorogues.

Hon Mr Conway: Now that you and the Bank of Montreal have found an affinity, all else is possible.

Mr R. F. Johnston: I had no idea the government House leader wished to speak, and I would cede my place to him because I know how short-winded he is. Perhaps I could continue without the irrelevant hecklings and ravings of the House leader.

As we are dealing with Bill 20 and not matters to do with the banks, I would like to say that the parliamentary assistant did make it seem like there was a huge consensus out there about this act in its entirety and not about those particular sections as he spoke. I think that my colleague the member for Nickel Belt was absolutely right to question just what this consensus was and what documents could be brought together indicating that. That should have been put together in a compendium with this bill.

I want to talk about Bill 20 in the context of other initiatives around education finance, because I do not think it can be looked at alone as a major change to the Planning Act, as it certainly is. It has to be looked at in the context of the last bill just before us, which I spoke about very briefly, indicating that the two bills should go off together to a committee to be looked at as a package.

It also needs to be looked at in the context of what the select committee on education is dealing with these days or is hoping to deal with this fall, the whole context of the adequacy, equity and accountability of education funding in Ontario, whether it is to deal with capital or operating costs.

What we have here is a government which has really not got itself together around the real needs of education funding in any of those matters, whether it is equity, accountability or adequacy. Instead, they brought themselves together on a number of initiatives, many of which do not actually fit well together and certainly do not meet the criteria of those three matters I have just raised.

This matter, on the face of it, seems like a very sensible approach to dealing with development charges and the horrible situation we are in now, started by the last government and added to by this present government, of having huge new developments start, all across southern Ontario at any rate, without the appropriate services being put in place, especially around schools. We have thousands and thousands of children now whose whole education will be taking place in portables, no matter what kind of capital initiatives this government has started.

That is a travesty and something which needs to be addressed. One hopes that this kind of

legislation would be the kind of thing that would deal with it and that members opposite would find it important to listen to the comments of opposition members as they address the matter.

The matter before us is in many ways not so much a major initiative that will redress those problems as it is a masking of the problems of inadequacy of funding that are out there presently, in this case around capital funding of education. The reason I say that is that the capital problems in education today are not just dealing with the question of a new school in a growth area, like Peel, Dufferin or York, outside of Metropolitan Toronto.

Capital problems, as you know from your own area of Windsor, Mr Speaker, can deal with matters of trying to maintain very old stock, of trying to accommodate the changes which have taken place because of Bill 30 and the needs of the Catholic system as it grows and the public system as it tries to maintain its viability within single-school towns, for instance, which there are in Essex county and other areas of the province, and it deals with many complicated matters in terms of the costs of maintaining our capital stock.

One of the great feelings of the past has been that in the budgets of the Ministry of Education there has never ever been a real recognition that a certain percentage should always be going to the upgrading of our capital stock and to preparation for new development as it takes place. As a result, we have a major deficit today, whether it is to do with maintaining old buildings, dealing with the problems of Bill 30 as they have developed or in fact the huge new developments that are taking place around Metro Toronto.

What this neatly does in a funny kind of way is break the ground for pooling. It encouraged boards, whether they were Catholic or public boards, so that they could take initiative together to meet their needs even though many boards were opposed to this in terms of their operational costs.

The thing I want to state is that although it may have been hinted at and now is sort of backed off from by the parliamentary assistant that there is a consensus about how useful this is around Ontario, there are many boards now that are very concerned about this development and the quid pro quo, the tradeoff that is involved in developing a lot levy system.

1740

If you live in Peel or if you live in York region, you can probably be happy that in the new areas that you are going to develop, as that develop-

ment continues in your area, you are going to be able perhaps to raise a significant amount of money to go towards your new school facilities that you require.

This does nothing at all to meet the deficit that is there presently in those communities. What I am talking about, of course, is the fact that with the present capital grants that have been announced most recently by this government, in a district like Peel for example, where there are now something like 25,000 or 26,000 students in portables, by the year 1992 when that capital funding is complete, there will only be 23,000 students in portables. There is not going to be a measurable change made under existing capital allocations.

Then you look at this response here, which is now supposed to be a major part of our new capital solution, and what do you say to the people in Peel? It does not address their existing development problems. In a new development and a new housing area that develops, perhaps a lot levy of a few thousand dollars on a home will go some way towards meeting the local costs for raising the capital needed for that kind of schooling. But even there, those boards should be very nervous about what this is going to mean in terms of provincial dollars that are now going to come in to meet the actual capital costs in those areas in the coming years.

It is my guess that the lot levies that will be required to actually finance a new high school are going to be quite considerable, are going to be unacceptable in terms of the kind of cost of housing that it will mean is going to be developing in those areas, and those municipalities are still going to need provincial dollars.

Very clearly, that is not the plan of this government. The government wants the lot levies to meet most of the costs of new construction in those areas so that it can divert money, supposedly into the other areas that I was talking about, whether it is the maintaining of old buildings or the need to adjust to other kinds of growth, but not growth in development terms in the province.

By other kinds of development, I mean things like all-day kindergarten, like mandating junior kindergarten as a program, perhaps some of the ramifications from heritage languages being made mandatory at this stage. There will be need for capital funding for those kinds of things, and I think that this government has thought that the money it was going to save from its own capital moneys that it has been putting in would now be

able to go to address some of those kinds of issues.

I do not believe that that is going to be the case, that that is going to be adequate in any way to meet the kinds of huge capital costs that are out there at this stage. Even in districts of growth, they are going to be left in a deficit position over the next 15 to 20 years unless some other approach on capital funding is found which is more equitable.

The other thing I would like to say specifically about this bill and about the whole notion of lot levies is that, while it seems to be attractive to say that developers should be paying the costs for the kind of services and infrastructure that are required for that development for education, just as we have expected it for other kinds of services in the municipality, that cannot be looked at in isolation without understanding, of course, that the cost is being passed through to the consumer.

It may be that people in Ontario feel that it is only appropriate that the Metro Toronto area should be penalized, that we should get special taxes and be punished for living in this area, as we are now seeing in the latest budget; that because the economy and the economic planning or lack of planning of this government and past governments has meant that the jobs are being developed in the Golden Horseshoe and we have to live here and we have the highest inflation in the country, now we also get the highest individual taxes in the country as well.

On top of that is the problem of world-class-citydom, which the Treasurer and the Premier (Mr Peterson) have spoken about, that pleasant trial that we all have here of the enormous cost now to live in this Metropolitan area.

Even with the downturn in housing sales at the moment, the average income required to buy a home in the city of Toronto today—and by city of Toronto, I mean larger Metro Toronto—is somewhere in the neighbourhood of \$88,000 to \$90,000 a year to pay the average price, the average cost of a house in Metro Toronto today.

What does this do to those first-time home owners, a vanishing breed in our society today? If you look again statistically at the number of people who were in a position to buy a first home in 1970 and look at the percentage of our people today who are in the same kind of position in this large Metropolitan area, it has withered away. It is a much smaller group of people who are now going to be able to own a home in this area.

I look at the pages here today, and those who are going to have to live in Metropolitan Toronto in the next 15, 16 or 20 years, when they may be

in a position to buy a house, and say, what is the possibility of them buying a house when part of the whole approach that has been taken recently has been that people can move to Mississauga, they can move to areas north of the city of Toronto and buy homes at cheaper rates and then commute into economic mecca, Metropolitan Toronto, because of our economic policies in the province which demand that they work here?

They can get that house cheaper out there. Of course, they get the house cheaper out there and they are now going to be penalized with new taxes by this government for living in a cheaper place, supposedly. Now this government, through its own policies, is going to be tacking on perhaps \$4,000, perhaps more, on to the cost of a house.

Again, you cannot look at that in isolation. You must look at it in the context of what Mr Wilson is doing federally with his notion of an overall tax on all commodities. The estimate there is that the cost of an average new home that will be constructed will rise by \$8,000 to \$10,000 to \$12,000, something in that range.

Again, you take that new sales tax initiative by the federal government, you tack on this \$4,000 minimum, I would suggest, in the lot levy that is likely to come forward, and you are talking about an extra \$16,000, let's say, on the cost of a home which is already overpriced, for people who are already being overtaxed, for people who are already facing inflationary costs here in this area which are greater than any place in the rest of the country.

I say to myself, what are we doing? Do we want even fewer people to be able to own homes? Are we setting up this kind of a policy because of past poor economic planning by governments around the development of schools and services and developments, and are they now going to use that as a means of stopping people from owning homes?

There is nothing in this bill at all which speaks about what needs to be done to make sure that affordable housing goes in. There is nothing in here at all. There was some talk, perhaps, at one stage in the green paper that was put out that these kinds of concerns might have to be taken into account to ensure a certain percentage of "affordable housing"—whatever that is these days, because I am not sure what affordable housing is when the average cost of housing in Toronto is something around \$260,000 at this stage. What is affordable any more? There is no attempt even to meet those kinds of issues here.

So yes, we will perhaps assist the real crisis position that huge-growth boards like the York region board or the York separate board are in at this time, when they have, as I have heard from principals, waiting lists for students to go into their schools—students who are on waiting lists for two years from now, who are on waiting lists for September 1991 at this stage.

That is an enormous problem, and yes, this might address the issue that this problem will not happen with a new development that might be going in next door to the one that exists, but it does nothing for those families in those presently developed areas, as I have already said, and it may be doing it at a social cost which is totally unacceptable.

To come back to my initial thesis on this, it is that you have to look at this initiative in much broader contexts, and in those broader contexts you have to say this is a direction which must be looked at very carefully before we move forward with it. We must make sure that it is working in concert with other kinds of policies and not in ways that are going to be hurting either the local person who wants to buy a home or the person who has to pay local property tax.

I would go back to something that the member for Nickel Belt was saying in the previous debate around the borrowing from Canada pension plans by the local school boards, and that is that our local taxpayers are already paying more, percentage-wise, for the costs of education in this province than they are anywhere else in this country.

1750

What this policy is going to do, I would suggest, is to push the demand for even more bucks on to the local taxpayer, because local school boards are not going to be able to get all the money for the new school off the lot levy. They know what that will do to that new development's costs and what that will do to stop people from actually moving into the area, so they are going to have to keep those down a bit.

Then they are going to come back to the province and say: "Look, we have this much money from the developers. We need more money from you." The province is going to say: "No. Nyet. You can use your lot levy. That is your method." The school board is going to be in the position of having to go to the mill rate to produce extra bucks to pay for that new school, on top of the lot levy. I think there is no doubt about that at all.

Then we look at the case for the Speaker's riding and areas like that in Windsor and say,

"What is the implication for them from this?" We have to look at that in the context of the new change and the percentage of renovation costs which are now being paid for by the province. There is a drop from 75 per cent to 60 per cent of the costs of renovation being assumed.

What does that do? That again throws it on to that other board, which is not a growth board as these new ones are, but used to expect that it was not going to have to pick up 40 per cent of the costs.

Is it the other way around? Did I just reverse that?

An hon member: From 75 per cent to 60 per cent.

Mr R. F. Johnston: So the province picks up 75 per cent.

Mr Laughren: Now.

Mr R. F. Johnston: That is right. I was wondering as I was saying that if I had reversed the language. I am sorry if I confused you, Mr Speaker, especially given how drastically this affects your own area, but the province's percentage is dropping from 75 per cent to 60 per cent of the capital. That is what I meant to say.

Mr. Pouliot: It is even worse than what you had mentioned.

Mr Black: The member for Lake Nipigon (Mr Pouliot) isn't in his seat.

Mr R. F. Johnston: The rump is heckling me over there.

Mr Black: On a point of order, Mr Speaker: The member for Scarborough West is one of the better speakers in this House and many of us would like to hear him finish his speech, but the constant interruptions from the member for Lake Nipigon, who is not even in his own seat, are a real distraction.

The Acting Speaker (Mr M. C. Ray): The member for Scarborough West has the floor.

Mr Pouliot: On a point of order, please, Mr Speaker: I cannot sit idly by, when I hung on every word that was said by my distinguished colleague, and be maligned. There is perhaps a time for good humour in this House, but obviously humour or good manners or decorum do not become the member for Muskoka-Georgian Bay. He should have more important matters to address than to make this House his refuge for farcical matters that are not becoming. I am really offended, and I will have the opportunity in the not-too-distant future to address the standing orders so that this kind of abuse and aggression will not be repeated.

Interjections.

The Acting Speaker: Order. We can do with less frivolous talk from a number of members here. I would like to hear the member for Scarborough West.

Mr R. F. Johnston: Let me make it very clear that although I appreciate the help from the member for Muskoka-Georgian Bay, the buzz in my ear was not from the member for Lake Nipigon but from other members in the House who were in the middle of conversations, to which they are all privileged. I did not really want to awaken them. I presume they were talking to others and not just to themselves. I was not sure about that.

I wanted to say, Mr Speaker, coming back to your constituency and to make it clear, if one of your high schools needed a major extension in order to accommodate new programs which were a demand by the government of Ontario, you could now expect only 60 per cent dollars instead of 75 per cent dollars for those matters. That is going to be an extra imposition on the local taxpayer, without any doubt at all. Areas of the province that are not growth areas are not going to benefit, as perhaps they thought they were going to benefit, by the development of these new fees in the growth areas. That was merely one of the things I wanted to point out to you.

I think if we did a survey today of municipalities of Ontario and we looked at the rates of increase in the mill rates for various school boards, we would be shocked at the rates of increase out there. They sometimes are as low as four per cent or five per cent, but in most cases they are nine per cent and above. Many of them are in double digits. Many of them are in double digits now for the second year in a row, because of the problems they have had in terms of their financing.

When one looks at the way Ontario has not adjusted the ceilings for operational costs for the school boards and the kind of squeeze those boards are feeling at the moment, all one can say is that the pressures are going to continue and continue and that this kind of initiative is not going to make a major adjustment in that. Neither, of course, is the ability to borrow from the Canada pension plan funds, which was in the previous bill, going to make a major change in terms of the kind of mill rate pressures boards are feeling today, especially when the government continually initiates new programs and raises expectations for what the boards are supposed to be able to deliver.

I remind members of one of those major factors, and that is the whole question of early entry into school, the junior kindergarten being mandatory and the notion that boards should move more and more into full-day senior kindergarten, move into senior kindergarten without any capital assistance by the province. It is very important to understand that. Now there is that expectation of parents out there that they should be able to get full-day kindergarten, that the space should be available to them, but the province is not going to pick up any of those dollars.

Just to conclude my comments for the day, I would say that this is an act which deserves perusal. It is easy to understand why certain boards have been able to come together and say, "Let's take it"—because they are desperate and realize the capital allocations they have been given are not going to come anywhere close to addressing the needs they have. But, as a panacea for capital costs and as a part of the potential solution to the overall financing costs that school boards have, this is not a solution and we must understand that is the case.

I hope that as these two bills we have talked about are dealt with in committee they become part of a larger context, and that is the context of the select committee's investigation into the costs of education, the adequacy of financing, the equity of financing and the accountability of financing. That is an issue I have not gone into here in terms of just how do we have accountability in this kind of a situation for the raising of lot levies at boards which may not be exactly coterminous. That is a major concern I think many of us might have.

Seeing that it is as late as it is, I will turn the floor over to someone else to have a fulsome speech or to ask me some questions before the evening is out.

Mr Beer: It seems to me that in looking at this issue the previous speaker understands the education system but has missed some of the

points behind the legislation being presented. In particular, he mentioned that we view this as some sort of a panacea. I do not think we have ever said that. I think what we are trying to do here is provide this, on a permissive basis, to those boards that feel this can be of some assistance.

In particular, those in the fast-growth areas have made very clear to all of us that this will be of great assistance. Indeed, it was the six boards from the areas around Metropolitan Toronto that came together several months ago and came down to speak to all of us in terms of what they saw as the importance of being able to have this permission to go ahead to provide themselves with more funding for capital.

Remember that with the change that went through this year in funding, the honourable member wants us to discuss the whole range of funding and correctly points out that in the select committee we will be looking at that. But I think this particular change is to be seen as part of all those changes and is a positive one, because it is going to kick-start, is going to provide more funding where new schools are needed, because it is related to where people are moving into communities.

By going to 60 per cent this year and in future, we are going to get more construction started. We are still doing 75 per cent on renovation. So the change, where it has occurred, is specifically where new pupil places will need to be created. The lot levy proposal gives school boards another tool to use along with the tremendously high rate of funding which this government has provided for capital over the last four years and will continue to do.

The Acting Speaker: The clock has now reached 6 pm. Could we have a motion, please?

On motion by Mr McCague, the debate was adjourned.

The House adjourned at 1800.

ALPHABETICAL LIST OF MEMBERS*

(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

-
- Adams, Peter (Peterborough L)
 Allen, Richard (Hamilton West NDP)
 Ballinger, William G. (Durham-York L)
 Beer, Charles (York North L)
 Black, Kenneth H. (Muskoka-Georgian Bay L)
 Bossy, Maurice L. (Chatham-Kent L)
Bradley, Hon James J., Minister of the Environment (St Catharines L)
 Brandt, Andrew S. (Sarnia PC)
 Breaugh, Michael J. (Oshawa NDP)
 Brown, Michael A. (Algoma-Manitoulin L)
 Bryden, Marion (Beaches-Woodbine NDP)
 Callahan, Robert V. (Brampton South L)
 Campbell, Sterling (Sudbury L)
Caplan, Hon Elinor, Minister of Health (Orillia L)
 Carrothers, Douglas A. (Oakville South L)
 Charlton, Brian A. (Hamilton Mountain NDP)
 Chiarelli, Robert (Ottawa West L)
 Cleary, John C. (Cornwall L)
 Collins, Shirley (Wentworth East L)
Conway, Hon Sean G., Minister of Mines (Renfrew North L)
 Cooke, David R. (Kitchener L)
 Cooke, David S. (Windsor-Riverside NDP)
 Cordiano, Joseph (Lawrence L)
 Cousens, W. Donald (Markham PC)
 Cunningham, Dianne E. (London North PC)
 Cureatz, Sam L. (Durham East PC)
Curling, Hon Alvin, Minister of Skills Development (Scarborough North L)
 Daigeler, Hans (Nepean L)
 Dietsch, Michael M. (St Catharines-Brock L)
Eakins, Hon John F., Minister of Municipal Affairs (Victoria-Haliburton L)
Edighoffer, Hon Hugh A., Speaker (Perth L)
 Elliot, R. Walter (Halton North L)
Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)
 Epp, Herbert A. (Waterloo North L)
 Eves, Ernie L. (Parry Sound PC)
 Farnan, Michael (Cambridge NDP)
 Faubert, Frank (Scarborough-Ellesmere L)
 Fawcett, Joan M. (Northumberland L)
 Ferraro, Rick E. (Guelph L)
 Fleet, David (High Park-Swansea L)
Fontaine, Hon René, Minister of Northern Development (Cochrane North L)
Fulton, Hon Ed, Minister of Transportation (Scarborough East L)
 Furlong, Allan W. (Durham Centre L)
Grandmaitre, Hon Bernard C., Minister of Revenue (Ottawa East L)
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)
 Haggerty, Ray (Niagara South L)
 Hampton, Howard (Rainy River NDP)
 Harris, Michael D. (Nipissing PC)
 Hart, Christine E. (York East L)
 Henderson, D. James (Etobicoke-Humber L)
Hošek, Hon Chaviva, Minister of Housing (Oakwood L)
 Jackson, Cameron (Burlington South PC)
 Johnson, Jack (Wellington PC)
 Johnston, Richard F. (Scarborough West NDP)
 Kanter, Ron (St Andrew-St Patrick L)
Kerrio, Hon Vincent G., Minister of Natural Resources (Niagara Falls L)
 Keyes, Kenneth A. (Kingston and The Islands L)
 Kormos, Peter (Welland-Thorold NDP)
 Kozyra, Taras B. (Port Arthur L)
Kwinter, Hon Monte, Minister of Industry, Trade and Technology (Wilson Heights L)
 Laughren, Floyd (Nickel Belt NDP)
 LeBourdais, Linda (Etobicoke West L)
 Leone, Laureano (Downsview L)
 Lipsett, Ron (Grey L)
 Lupusella, Tony (Dovercourt L)
 MacDonald, Keith (Prince Edward-Lennox L)
 Mackenzie, Bob (Hamilton East NDP)
 Mahoney, Steven W. (Mississauga West L)
Mancini, Hon Remo, Minister without Portfolio (Essex South L)
 Marland, Margaret (Mississauga South PC)
 Martel, Shelley (Sudbury East NDP)
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 McCague, George R. (Simcoe West PC)
 McClelland, Carman (Brampton North L)
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McLeod, Hon Lyn, Minister of Colleges and Universities (Fort William L)
 Miclash, Frank (Kenora L)

Miller, Gordon I. (Norfolk L)
 Morin, Gilles E. (Carleton East L)
 Morin-Strom, Karl E. (Sault Ste Marie NDP)
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 Nicholas, Cindy (Scarborough Centre L)
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Oddie Munro, Hon Lily, Minister of Culture and Communications (Hamilton Centre L)
 Offer, Steven (Mississauga North L)
O'Neil, Hon Hugh P., Minister of Tourism and Recreation (Quinte L)
 O'Neill, Yvonne (Ottawa-Rideau L)
 Owen, Bruce (Simcoe Centre L)
Patten, Hon Richard, Minister of Government Services (Ottawa Centre L)
 Pelissero, Harry E. (Lincoln L)
Peterson, Hon David R., Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)
 Philip, Ed (Etobicoke-Rexdale NDP)
Phillips, Hon Gerry, Minister of Citizenship (Scarborough-Agincourt L)
 Poirier, Jean, Deputy Speaker and Chairman of the Committees of the Whole House (Prescott and Russell L)
 Pollock, Jim (Hastings-Peterborough PC)
 Polsinelli, Claudio (Yorkview L)
 Poole, Dianne (Eglinton L)
 Pope, Alan W. (Cochrane South PC)
 Pouliot, Gilles (Lake Nipigon NDP)
 Rae, Bob (York South NDP)
Ramsay, Hon David, Minister of Correctional Services (Timiskaming L)
 Ray, Michael C., Deputy Chairman of the Committees of the Whole House (Windsor-Walkerville L)
 Reville, David (Riverdale NDP)
 Reycraft, Douglas R. (Middlesex L)

Riddell, Hon Jack, Minister of Agriculture and Food (Huron L)
 Roberts, Marietta L. D. (Elgin L)
 Runciman, Robert W. (Leeds-Grenville PC)
 Ruprecht, Tony (Parkdale L)
Scott, Hon Ian G., Attorney General and acting Solicitor General and minister responsible for native affairs (St George-St David L)
 Smith, David W. (Lambton L)
 Smith, E. Joan, (London South L)
 Sola, John (Mississauga East L)
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 South, Larry (Frontenac-Addington L)
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Ward, Hon Christopher C., Minister of Education (Wentworth North L)
 Wildman, Bud (Algoma NDP)
Wilson, Hon Mavis, Minister without Portfolio (Dufferin-Peel L)
 Wiseman, Douglas J. (Lanark-Renfrew PC)
Wong, Hon Robert C., Minister of Energy (Fort York L)
Wrye, Hon William, Minister of Consumer and Commercial Relations (Windsor-Sandwich L)

*The alphabetical list of members appears in each issue. Lists of the members of the executive council, parliamentary assistants and members of committees, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

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Legislative Assembly of Ontario



Second Session, 34th Parliament

Wednesday, 21 June 1989

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Clerk of the House: Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 21 June 1989

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

NURSING SERVICES

Mr Farnan: The hospital services of Kitchener-Waterloo are being realigned. There are 110 nurses in the specialities of paediatrics and obstetrics being displaced at St Mary's General Hospital. They are unable to follow these services to the Kitchener-Waterloo Hospital and continue in their chosen careers because the Kitchener-Waterloo Hospital is unable to accept their seniority.

The realignment of services is taking place at the instigation of and with the approval of the Ministry of Health. However, because of the inability of the Kitchener-Waterloo Hospital to honour the status of the nurses, the community is losing a great number of highly qualified paediatric and obstetrical nurses. It will take many years for this base of excellence in nursing to be restructured.

Is this government prepared to take steps to ensure that this does not happen, to give assistance to these nurses and to assure the community of Kitchener-Waterloo that the expert care it has enjoyed will be available when it is in need?

The nursing situation in this province is at a crisis and the crisis is being compounded by a government that refuses to treat its nurses properly, to recognize their seniority and to allow them to transfer to another hospital with their seniority intact when this move is initiated by the government.

PATRICIA STARR

Mr McLean: My statement is directed to the Minister of Tourism and Recreation (Mr O'Neil). It appears that recent events at Ontario Place, when it was under the chairmanship of Patricia Starr, are a clear indication that the minister does not take his job seriously.

In the first case, Mrs Starr decided to give the spouse of the Minister of Housing (Ms Hošek) a consulting contract plus expenses in the fall of 1987 without calling for tenders.

In the second case, Mrs Starr decided to privatize the fast-food concessions at Ontario Place, and that was in June 1987. Again, tenders were not called for the 10 fast-food concessions and the souvenir concession. As well, new management was brought in to operate the sit-down restaurants. Once again, Mrs Starr failed to call for tenders.

In the third case, we have heard that Ontario Place staff who had quit sent representatives to the Deputy Minister of Tourism and Recreation and to the minister's staff, to report that Mrs Starr was flagrantly violating procedures set down in the government's policies manual.

I am certain that we will hear more about political patronage and policy violations in the coming days and weeks. Having said this, I think the people of Ontario are getting the clear message that certain people will be looked after if they are friends of the Premier (Mr Peterson), members of his cabinet or of the Ontario Liberal Party.

Another message is also being sent out, and that is that rules, policies and procedures are in place only to be broken.

METRO EAST MULTICULTURAL FESTIVAL

Mr Faubert: I rise today to advise the members of this Legislature of an exciting event which took place at the Alex Manoogian Cultural Centre in my riding of Scarborough-Ellesmere last Saturday 17 June 1989.

This event was the Metro East Multicultural Festival, sponsored by the Metropolitan Toronto Housing Authority race relations policies and programs branch, with the support of the Minister of Housing (Ms Hošek) and the Minister of Citizenship (Mr Phillips) responsible for multiculturalism and race relations.

The theme of the festival was, "Pride of place and pride in people." Judging by the enthusiasm exhibited by the volunteers and performers, it was obvious that these residents take great pride in their performing abilities, their cultures and their communities.

The central message that gatherings such as these convey is that all cultures have something to contribute to our society and that differences in

cultures should be looked upon with interest rather than suspicion. As well, they encourage understanding, foster tolerance and create harmony.

I commend the Metropolitan Toronto Housing Authority for this community-based approach and I commend the Minister of Citizenship for the support his ministry gave to this project. As well, I congratulate the festival planning committee members for their efforts to make this festival an exciting reality.

Most important, I would like to commend and congratulate the volunteers and performers who, as MTHA residents, put on an entertaining and enjoyable showcase of talent which demonstrated so well the pride in their cultures and their communities that was a theme of this festival. I encourage all involved to make this an annual event.

PROPOSED FERTILIZER PLANT

Miss Martel: Since April 1988, my colleague the member for Nickel Belt (Mr Laughren) and I have raised with this government the matter of establishing a fertilizer plant in Sudbury. Although not a new idea, our interest in the project was renewed when the government released copies of the northern Ontario phosphate study completed for the Ministry of Northern Development.

The study found that northern phosphates and SO₂ smelter emissions could be used to produce fertilizer for Canadian markets and that a plant was feasible in northern Ontario. A further study was recommended.

After many months of repeated requests for action, the Ministry of Northern Development finally assumed a leadership role. In November 1988, Inco, Noranda, Falconbridge, C-I-L and Sheritt Gordon confirmed that they would participate with the ministry in the second study. To date, there has been no further news regarding how that study is proceeding or when it will be complete.

In the meantime, Cargill Ltd of Winnipeg has announced that it will build a fertilizer plant at Belle Plaine, Saskatchewan, to be operational by the spring of 1992. Fifty per cent of the plant will be owned by the Saskatchewan government, which will then try to sell its share to private concerns. The targeted market includes Ontario and Quebec.

This is the type of action we would have expected from the Ontario government if the second study had proved positive as well. Our concern is that the Liberals will have done too

little too late on this matter. When will this government move to develop a fertilizer plant in Sudbury which can attract business from eastern provinces and from our American neighbours?

1340

TAX FREEDOM DAY

Mr Harris: While it is a bit early to break out the Kool-Aid, the government has done its best to put beer, let alone champagne, out of the reach of most of us. I am sure the people of this province will be relieved to know it is only 15 days to tax freedom day here in David Peterson's Ontario.

On 7 July, the people of Ontario can finally stop working for governments and start working for themselves. It is disgraceful that the people of this province spend 188 days of the year in indentured servitude to this clumsy and scandal-ridden government.

In 1984, before the Premier (Mr Peterson) and his pack of profligates got their hands on the public purse, tax freedom day in Ontario fell on 18 June. Now, after a five-year Liberal spending spree and three massive Liberal tax grabs, Ontario has to spend an additional three working weeks to help this government live beyond its means.

Blame the federal government, some say. Au contraire. The Treasurer (Mr R. F. Nixon) confirmed that the federal government transferred a seven per cent increase this year to this government. Inflation at 5.2 per cent was confirmed by the Treasurer yesterday.

The situation has improved elsewhere in Canada. In Quebec, for instance, where our Premier likes to go to visit his good friend Mr Bourassa and to escape the more hostile environment of this House, tax freedom day will be earlier this year than it was in 1984. I am sure most people in this province believe this money could be better spent or better left in their own hands.

COMPOSTING

Mr Tatham: Where is "away" and "throw it away"? In our backyards? If I could show members a way to convert 30 per cent of residential waste to carbon dioxide, water and compost, would they be interested? I bet they would. Any organic kitchen waste, including meats, fish and poultry, is 90 to 95 per cent water. Food waste occurs in consistent daily quantities and is easy to separate from other wastes, so food waste can be eliminated at the source through a program of backyard composting.

Here is a scaled-down model of a composter, one-third size. For this type of composter members should choose a good location in their yards, close to the kitchen, in a sheltered sunny spot and dig a hole for the basket section. The soil acts as a wick to absorb the moisture during the digestion program. According to the manufacturer, a family of five could use this composter for three years before emptying the compost.

Backyard composting should be like the blue box. Let us starve our landfills and try backyard composting. We will be glad we did.

TAXES ON REAL ESTATE

Mr Jackson: It is my pleasure to bring to the House's attention the presence in the gallery today of the chief executive officers of most of Ontario's 52 real estate boards. They represent the leadership of this professional group of service providers in our province.

It is unfortunate that they have to bear witness in this House on a day when the government is bringing forward Bill 20, An Act to provide for the Payment of Development Charges, lot levy increases for an educational tax, and they will bear witness to the second reading of Bill 23, An Act to amend the Land Transfer Tax Act, which now makes Ontario one of the highest-taxed provinces in Canada for the conveyance of real property.

STATEMENT BY THE MINISTRY

FIRE AT INDIAN SETTLEMENT

Hon Mr Kerrio: I would like to bring members up to date on a fire situation which resulted in the successful evacuation of the Webequie Indian settlement by early this morning.

The community of Webequie is located on the north end of Eastwood Island in Winisk Park, approximately 350 kilometres north of Geraldton. A fire in a local garbage dump last Tuesday afternoon spread to the settlement's sawmill, which was destroyed, as were several adjacent buildings.

The Ministry of Natural Resources is responsible for fire suppression and we decided for safety reasons to evacuate the site. Four hundred and three people were moved to the Geraldton Community Emergency Response Group. The Department of National Defence used four Hercules aircraft to move people quickly and efficiently to their emergency shelter.

The evacuation was completed by six o'clock this morning. The Defence department and the Geraldton community emergency response group worked as a team to ensure the safety of the

people of Webequie. Especially when we consider the distances and logistics involved in these emergency procedures, this team effort was remarkably speedy.

My ministry is co-ordinating all firefighting efforts. Despite the distances involved and the difficulty of obtaining accurate information, we have responded to this emergency and are working closely with local people to put out the fire. We brought in two CL-215 waterbomber aircraft yesterday afternoon soon after the fire was reported.

We have also sent in two trained fire bosses to co-ordinate the firefighting effort, which is already entirely a local effort.

About 100 residents of Webequie have remained at the site. Of those, 40 have been previously trained by my ministry for just this type of situation. These reserve firefighters are the main force involved in containing the fire.

Today my ministry is moving in equipment and service personnel to support these efforts. Currently, only about five hectares of land have been affected by the fire and we are optimistic the fire may be completely contained.

I would like to commend the Department of National Defence in the town of Geraldton for a job well done in responding to this emergency. They were prepared and ready to answer the call, and thanks to their efforts, the evacuation of Webequie was a complete success.

I would also like to update the members on the fire situation throughout the rest of the province.

Yesterday, 76 new fires started up in various areas of the province, mainly because of lightning combined with a cold front near the Ontario-Manitoba border. A total of 87 fires are burning now in the province, affecting more than 3,000 hectares of land.

So far this year, we have had 562 fires which have involved some 8,800 hectares of land.

RESPONSES

FIRE AT INDIAN SETTLEMENT

Mr Pouliot: We too on this side of the House share the real concern of the people of Webequie, which is located, as the minister has mentioned, some 350 kilometres north of Thunder Bay. A few weeks back, it was the community of Mobert, due to flooding, that had to be evacuated. A few days before, on the shores of James Bay, a community of first Canadians, Fort Albany, had to be evacuated.

In this case, in what has become almost annual, the community of Webequie, which has 400 people, will be welcome in the township of

Geraldton. It is not the first time that township has had an opportunity to display its hospitality. The people of Geraldton are not only well meaning; they are fairly well equipped and collectively, to a citizen, will put their best foot forward.

It is not a time to mention to the Minister of Natural Resources that we told him so; that people, in terms of fighting forest fires, an annual occurrence, should be given the tools to defend themselves and to cope with this kind of endeavour. We too realize that he has a limited budget. However, there is a human dimension for the likelihood of this kind of incident, which could perhaps one day unfortunately turn into a calamity.

If the minister is to focus the resources of his ministry, the money that he is able to secure for natural resources, he would be well advised, with respect, to have a timetable, so that equipment and better training can be forwarded to this community. Then it would not have to really rely on the goodwill of people and, in the event of a catastrophe, it could look forward to a collective effort from National Defence, so an entire community could be moved hundreds of kilometres away.

It is a very difficult situation. Nevertheless, the minister is to be commended for being spontaneous. I would also like to take the opportunity to thank the members of the minister's staff, who have been most diligent and expedient in informing me and other members of the House of the problems. Indeed, our good wishes and our sympathy are with the people of Webequie at this time.

Mr B. Rae: I want to take the minister's statement as an opportunity to perhaps make an even broader point than the one made by my colleague the member for Lake Nipigon (Mr Pouliot). I am glad the Premier (Mr Peterson) is here to listen to this.

I think the question is raised very clearly, for this government and for this Legislature, as to the responsibility of Ontario for the overall quality of life and living conditions on our northern reserves. Having visited this community and a number of others in my service as leader of this party in the opposition, the basic political question for this House and for this government is to what extent we are prepared to take seriously the incredible gap between the living conditions that are accepted and regarded as okay on northern reserves and living conditions elsewhere in the province.

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We really have two provinces. Anybody who has been north of the communities along Highway 17 and Highway 11 knows what I am talking about. There really is an incredible gap between the living conditions and the quality of life available to our native citizens, living in their original and ancestral homes, and the rest of the province.

The fact that the province has taken the leadership role in dealing with this crisis, as it has with other crises—most notably the flooding in Fort Albany, which the minister also reported to this House not too long ago—to my mind simply points very clearly to the obligations of this House; to the Minister of the Environment (Mr Bradley), when it comes to the question of running water and when it comes to the question of sewage treatment, there are whole communities of thousands of people with no sewage treatment; to the Minister of Housing (Ms Hošek), where conditions are accepted in northern reserves that would not be accepted anywhere else in Ontario in terms of the quality of housing; and to the Minister of Health (Mrs Caplan), where I say to the minister that if she wants to deal very seriously with the questions of the quality of life and with life expectancy and with the fact that there is a population explosion that is now under way on these reserves, she has to accept some responsibility.

I know the constitutional response we will get from this government is that it is essentially the job of the federal government, but I am not prepared to leave to the bureaucrats in the Department of Indian Affairs and Northern Development in Ottawa the future and quality of the lives of our citizens in this province who deserve to have some priority here from their government at Queen's Park.

Mr Harris: On behalf of our party, I too want to extend our best wishes, I suppose, and our concern to the people of Webequie as they deal with this crisis in their community. I want also to congratulate the Department of National Defence, the Geraldton community emergency response group, and indeed the firefighting team from the Ministry of Natural Resources for the way they have worked together in a co-operative way, and the ministry staff for co-ordinating that effort in dealing with a very difficult situation.

I would perhaps mention one other thing that I pointed out to the minister a year ago. He mentioned that two CL-215 waterbomber aircraft were brought in, and the minister is always very proud of mentioning these aircraft. When I point

it out, he never credits Premier Davis for insisting that, instead of executive jets, we have waterbomber aircraft in this province. Indeed they are excellent aircraft and they have done an excellent job in this community.

ORAL QUESTIONS

PATRICIA STARR

Mr B. Rae: I welcome the Premier back to the realities of provincial politics. Perhaps he has now had an opportunity, in his being away from the province, to reflect for a while on the conduct of some of his colleagues.

He will know that literally countless members of his caucus have received cheques from the capital account in the name of Mrs Starr, but he will also know that three members of his caucus, the member for St Andrew-St Patrick (Mr Kanter), the member for York Mills (Mr J. B. Nixon) and the member for Hamilton Centre (Ms Oddie Munro), are in a different position from any of his other colleagues in that they either solicited or condoned payments to their relatives, their campaign manager or their constituency association, payments which I would argue with the Premier are clearly improper.

Would the Premier not make the distinction between the behaviour of some and the behaviour of others and clearly tell us what are his standards and why are these three individuals still parliamentary assistants and a member of his cabinet when they should clearly be removed by this time?

Hon Mr Peterson: My honourable friend will be aware that there are rules that govern election expenses. They are all being reviewed by an independent officer of this House, Donald MacDonald, a former leader of the member's party. We have faith in his impartiality in reviewing all the matters; they are all there for him to look at. I am not prepared to prejudge the facts, as my honourable friend is. He has made a number of allegations, as others have. They are all going to be tracked down and we will make judgements on the basis of all the facts when they are all in.

Mr B. Rae: Let me focus then very clearly on the behaviour, since the Premier is, after this period of being away, still not prepared to tell us what his standards are.

I would like to ask him point-blank whether he approves of the conduct of the Minister of Culture and Communications (Ms Oddie Munro), who gave her mother's name to Mrs Starr and whose mother received a \$5,000 cheque six weeks after the last provincial election. I would

like to ask the Premier whether he approves of that conduct by his Minister of Culture and Communications.

Hon Mr Peterson: I understand my honourable friend has asked that same question for the last several days. He asked me for several days before I left, and I say to my honourable friend, the answer is the very same. He can stand up; he is entitled to his own judgement. He thinks he is unbiased; other people would not think that. I have put this in the hands of the Conflict of Interest Commissioner and I look forward to the advice of that independent officer of this House on the matter.

Mr B. Rae: Let me just say to the Premier, it is not a question of my judgement or anyone else's; it is a question of what is the Premier's standard of conduct that is acceptable.

Is the Premier standing in his place today and saying that unless there has been a breach of the law he is not prepared to take action as the first minister in this government? Is he saying that the standard of conduct acceptable to the Premier is that you either be a convicted felon or some other kind of crook before you will be ineligible for office in the Liberal Party of Ontario?

Hon Mr Peterson: I did not say that by any stretch of the imagination. I think my honourable friend probably knows that, but I think he has a desire to try to stretch interpretations according to his way of thinking on these matters, which he has every right to do. He would stand up in this House and pretend he is unbiased on these matters, but what we all did together was create an unbiased officer of this House, the Conflict of Interest Commissioner, to give us advice on these matters. I understand the member's standing and presenting the advice that he does to me and I would give him advice on any matter should he solicit my opinion as well. What we have done is set a new standard in this House and we will attend the advice of the commissioner.

Mr B. Rae: We are just beginning to understand what the Premier's standards are, and that is the problem we have.

The Speaker: New question.

Mr B. Rae: The Premier will know that since 1985 the Liberal Party of Ontario has received literally an avalanche of money from various businesses of one kind or another. In 1985, they raised \$2.7 million centrally; in 1987, they raised nearly \$8 million, and at the end of that year, they had just over \$1 million left in the bank, and that is not counting riding associations.

Can the Premier tell us whether it is the policy of his government to grant any special access or favours to people who have contributed as part of this incredible avalanche of funds falling to the Liberal Party?

Hon Mr Peterson: The answer to my honourable friend's question is a clear and unequivocal no. We do not give anybody special access.

Mr B. Rae: If that is the case—I am interested to hear the Premier's answer—I wonder if he can explain certain contracts that have been awarded to two companies: Pave-Al Ltd and the Orlando Corp. In 1984, 1985 and 1986, these two companies, which are major contractors, as I am sure the Premier will know, gave no money to the central Liberal Party. We also know that in those years they received very small contracts: in 1986-87, no contracts from the Ministry of Transportation; in 1985-86, \$261,000; in 1984-85, \$214,000.

According to the Commission on Election Finances, these two companies in 1987 and 1988 donated \$20,800 to the Ontario Liberal Party and another \$12,200 to nine Liberal candidates and/or their riding associations. In 1987-88, contracts awarded to these companies multiplied in value 20-fold. They received a contract in 1987-88 of close to \$5 million, making them one of the largest contractors to receive money from the Ministry of Transportation.

The Speaker: The question.

1400

Mr B. Rae: Can the Premier explain why, when companies do not give a nickel to the Liberal Party they get contracts that are worth only \$200,000, but when they give \$33,000 and \$34,000 they get contracts worth \$5 million?

The Speaker: I am sure there is a question there somewhere.

Hon Mr Peterson: I understand the point my honourable friend is trying to make. I do not know either of those companies. I do not know what contracts they got or what they gave to the party. It is all there and if he wants to find out, he can go to the election expenses of any member of this House, including his own, and he can find out what donations were made. That is the way this system was meant to be. To the best of my knowledge all contracts that are allotted by the ministry are tendered and go to the lowest bidder. The member is trying to engage in smear and innuendo. He thinks he is on to something and he is losing his own dignity and his own credibility in the process.

Mr B. Rae: The dignity of the government is perhaps less important than its integrity, and that is what is at stake here. We have a pattern here of an avalanche of funds that has gone to the Liberal Party from several industries which are the direct beneficiaries of contracts awarded by the Liberal government of Ontario.

I am asking the Premier if he can explain the discrepancy between contracts awarded in a year in which no money is given to the Liberal Party of Ontario and contracts awarded in a year in which several thousands of dollars—indeed tens of thousands of dollars—go to the Liberal Party. That is not a matter simply of dignity; that is a matter of the integrity of the political process. If the Premier would take it seriously he would start dealing with these issues instead of pretending they do not even exist.

Hon Mr Peterson: I say to my honourable friend, he got these figures presumably through the public filings of us and any other member. Presumably, if he has some evidence that some contract was improperly tendered or illegally given, he will stand up in this House and present it. He can stand up and accuse us of anything he wants, just as I can stand up and accuse him, because he gets such a high percentage of his contributions from the labour movement, that the advice he brings to this House has been purchased by it. I say to my friend that he has descended to new lows as leader of his party.

Mr Brandt: I am almost reluctant to ask a question. I do, however, have a question for the Premier. In view of the fact that there have been a number of allegations, many of which have now been proven correct with respect to Ms Starr and her very active itinerary over the past number of months and perhaps years, I wonder if the Premier could indicate to this House who recommended Ms Starr as chairman of Ontario Place, whose name is on the order in council and who made the ultimate recommendation to the Premier in connection with that particular appointment? Could he answer those questions?

Hon Mr Peterson: I cannot tell the member who gave the first recommendation. As he knows, on file with my office are literally thousands of names that come forward for government appointments. They go through a vetting process. Obviously, some are better than others, I need not tell my honourable friend. They come from a wide variety of sources including, I should say, from my friends opposite. As a matter of fact, I will tell members that I appreciate the advice that we get all of the time from members opposite with respect to

these questions. They are vetted and appointed by the executive council and that is what makes the decisions in this government.

Mr Brandt: I want to help the Premier because I know how interested the Premier is in getting all of the facts on the table as they relate to this item. I know how anxious he was to return from his trip east to be here with us to discuss some of these questions. I know that the Premier would want me to bring to his attention, because of his ongoing interest in this subject, the fact that he signed the order in council on 27 May 1987. He was the one who signed the order in council for the infamous Ms Starr.

The order in council not only clearly states that he was the signatory of that particular document, but I would like to say that one of the pieces of information that is missing is who made the recommendation to the Premier, relative to Ms Starr's appointment. We now know he was the one who gave the final okay. I have the document here if he wants me to share it with him, but I know he will take my word for this. All I want to know is who gave him the direction to, in fact, give the approval he gave on the order in council.

Hon Mr Peterson: As a former minister of the crown, the member would know, having attended cabinet meetings, that a number of appointments are made at every occasion. Some are signed by the chairman of cabinet. Others—

Mr Brandt: I was there every day.

Hon Mr Peterson: He was there at every cabinet meeting, and I am told he did an exemplary job at making sure his interests were represented at the corporate table.

I sign a number of order-in-council appointments, no question about it. The decision is made after discussion with the executive council. Very clearly, I sign a large number of them. I am sure that if my honourable friend's research team is up to its usual speed, he will find many more that I have signed, as well.

Mr Brandt: He did sign this one and we found others that he did not sign. It is interesting, when one looks at the—

Hon Mr Scott: Why don't you give Jane Pepino a call about Patricia Starr?

Mr Brandt: If we could pay the Attorney General in this House by the words he speaks when he is sitting in his place, he would be a rich man. Does he mind terribly if I ask my question to the Premier?

Allegations have been made with respect to the fact that Gordon Ashworth made the recommendation to the Premier. Previous statements have

been made to the effect that it was either Jim Peterson or Heather Peterson who made the recommendations. A July article in *Toronto Life* says that it was Hershell Ezrin who called offering her a job. The only question I want to have answered is, since the public's interest is focused on how this individual received that very important, responsible position, who made the recommendation to the Premier that she be given that job?

Hon Mr Peterson: I read the various articles. There are various theories developed every day about who did what as part of the allegations and innuendoes going on in this whole discussion. That is all right. My honourable friend will be the first to admit that many of the allegations he has made have been proven false after the fact.

Mr Brandt: Which ones?

Hon Mr Peterson: His great pronouncement about shredders and all that kind of thing. If he has allegations, stand up in this House and tell us.

Mr Brandt: Has it been proven false?

Hon Mr Peterson: On investigation, I say to my friend, I am assured that that is not, in fact, the case. My honourable friend, being the gentleman he is, would want to stand up and either retract or prove his point in this particular matter. I understand, shall we say, the super-charged atmosphere. I understand that there is a lot of licence that goes on and people want to stand up and say irresponsible things in the middle of this whole debate. It is important, in my view, that we establish the facts and deal with those appropriately. That is what this government is determined to do.

I say to him, because my friend knows it, when an appointment is made by order in council in this government, all cabinet ministers approve of it. Obviously it is an approval of this government. I was part of that government and I accept the responsibility.

Mr Brandt: Let's deal with a fact that the Premier is aware of. Money that was supposed to be going to Wheel-Trans and that particular service ended up being diverted for political purposes by Ms Starr. Fact. He knows that. When he was confronted with that particular allegation, he indicated that if that is the case then it is theft. That is what he said.

Since here is an individual for whom he signed the order in council, a recommendation made by his cabinet, an individual about whom allegations are flying all over the place about something of the order of some \$85,000 in improper campaign donations along with other side ven-

tures that this lady appeared to be involved in, I ask him who made the recommendation. From where did it come that this individual was recommended to him for that important position?
1410

Hon Mr Peterson: The member is asking me the same question he has asked me. I cannot tell him specifically who put that name in front of me or the committee that vets these kinds of matters. There are thousands of names there that we canvass for appropriate positions at various times, just as when Mickey Hennessy receives an appointment from this government, or some of the member's colleagues. Whether it is the member or one of his colleagues who suggests that, we try to do that on a fair basis across the province and include everybody in that. So I cannot tell him specifically from whence cometh that name, but I say to my friend that I am prepared to take the responsibility.

Mr Brandt: Out of 9.5 million people in this province, the Premier finally gets a note from an assistant that says, "Don't forget to bring up poor Mickey Hennessy." Mickey Hennessy served this House well for a number of years and he is about the only Tory I know whom the Premier has appointed.

Interjections.

The Speaker: Order. Supplementary, the member for Sarnia.

Mr Brandt: On 18 May 1988, Ms Starr held a party, one of several held at Ontario Place. This one ostensibly was to celebrate the opening of the new season. The guest list included all three of the Peterson brothers and their wives. Also included from the Premier's office were Gordon Ashworth and his spouse, Hershell Ezrin and his spouse and Bob Carman and his spouse. In other words, at this opening celebration held upon the appointment of Ms Starr at Ontario Place, virtually every senior member of the Premier's staff was in attendance.

Again, I would like to ask, who made the recommendation in connection with Ms Starr's appointment to Ontario Place, the very lady who extended this invitation list to all of these individuals? Who in fact gave the word to the Premier in connection with her appointment to that responsible position? It had to come from somewhere.

Hon Mr Peterson: My understanding of that party is that all members of Parliament were invited. Certainly I saw, as I recall—I am not sure which party the member is referring to because there is one—

Mr Brandt: I wasn't invited.

Hon Mr Peterson: Well, maybe not the member, because he is not that much fun at parties, but the people who are were invited. The critics were there and a number of others. That is the way Ontario Place should be, as my honourable friend knows.

My honourable friend, I think, is labouring under the impression that there is something strange or unfair about this. He said that Mickey Hennessy was the only Tory to ever be appointed by this government. I just want to refresh his memory. Frank Miller is the chairman of Ontario International Corp. Does the member remember Frank Miller? He is doing a very good job. Frank Drea, a former colleague of the member, is chairman of the Ontario Racing Commission, doing a very good job. Both Bill Davises—one to the SkyDome and one is vice-chairman—

Hon Mr Bradley: You forgot about Bette.

Hon Mr Peterson: Bette Stephenson, to the Ontario Police Commission; Bob Elgie; Anne Jones. The list goes on and on. I think my honourable friend is completely uninformed about the reality.

Mr Brandt: You are about at the bottom of the barrel now.

The Speaker: Order.

Hon Mr Peterson: I do not consider these people to be the bottom of the barrel. I think they are fine, upstanding citizens of this province who continue to make a fine contribution and I am proud they are serving the people of this province.

Mr Brandt: And I am proud to say that none of my colleagues is being investigated. There is a real distinction in terms of integrity.

I think it is rather important to determine why the celebration of the opening of Ontario Place was rather special in 1987. In 1987, there was a rather large and extended guest list of individuals who attended, obviously at the invitation of Ms Starr, on that particular evening.

The question very simply is this: Once again, I ask the Premier to indicate to this House who recommended Ms Starr for the appointments she received from his government. She received two appointments. She was held in very high esteem by his administration. They all seemed to be associated with her, directly or indirectly—

The Speaker: Thank you.

Mr Brandt: —socially, informally and formally in terms of their working activities.

The Speaker: Thank you. I think the question has been asked.

Mr Brandt: The question is, who made the recommendation?

Hon Mr Peterson: As I said to my honourable friend, I cannot tell him specifically who made the recommendation. It was agreed upon by all. As I told my honourable friend, I have to take the responsibility. There are varying qualities of appointments. Some work out better than others, obviously.

But my honourable friend is uninformed again. He said that none of his colleagues is being investigated. His former colleague Dennis Timbrell is being investigated right now, like some of my colleagues. So is Susan Fish, like some of my colleagues. I think my honourable friend should exercise more judgement and more evenness of temperament before he draws quick conclusions in this matter.

I think thoughtful people have to get the facts and deal with them accordingly. My honourable friend, I think, had he been on this side, would agree with me on that matter.

WORKERS' COMPENSATION

Miss Martel: My question is to the Minister of Labour. Last evening the minister participated in a public forum regarding Bill 162. In speaking to the crowd and in speaking to the media afterwards, he said, "Bill 162, for the first time, puts in the law of the province of Ontario the obligation of the Workers' Compensation Board to provide vocational rehabilitation."

In fact, Bill 162 says, "The board shall provide a worker...with vocational rehabilitation services if the board considers it appropriate to do so." I would like to ask the minister why he told the good people at that meeting one thing last night when in fact the legislation is completely different.

Hon Mr Sorbara: I am terribly sorry the member for Sudbury East was not at the meeting, because had she been there she would have been able to have an opportunity to hear a very vibrant discussion on Bill 162, where the discussion on vocational rehabilitation went on, if I recall, some half-hour and more. During that time—

Mr B. Rae: Yes, and you provided them with complete misinformation.

Hon Mr Sorbara: The Leader of the Opposition shouts out "complete misinformation." I point out to him that he was not there either. What I said at that time was that the new sections on vocational rehabilitation provide a statutory obligation on the board to provide a vocational rehabilitation assessment, and then for the board, under the amendments, to make a determination

quickly as to whether that assessment is a valid one. Under the circumstances my expectation would be that if an assessment indicated clearly a need for vocational rehabilitation, then the board, under this statute, would be providing it.

Miss Martel: Nowhere in the bill does it say that if the result of a vocational assessment shows the worker needs service, the board will provide that service in fact. I would like to ask the minister again why he told that group last night that the board was obliged under this bill to provide vocational rehabilitation, when in fact nowhere in this bill does it say it. Why was it good enough to say it last night, when in fact the legislation does not commit to that at all?

Hon Mr Sorbara: Once again, my friend the member for Sudbury East simply—it is so clear that she was not at the meeting—

Miss Martel: Read the legislation, my friend.

The Speaker: Order.

Hon Mr Sorbara: If she wants to hear the answer to the question, I suggest that she stop screaming for just a couple of seconds.

Miss Martel: Well, why don't you tell the truth for a change? It would be a good idea.

Interjections.

The Speaker: Order. I think it is time for members to pause and reflect.

Mr Pouliot: And tell the truth.

The Speaker: Order. And possibly read standing order 19(d), subsections 8 to 11.

Hon Mr Sorbara: Last night, at the meeting held by the South Riverdale Community Association, we had a very lengthy discussion about vocational rehabilitation, as we did about other sections of the bill. I regret the fact that my friend was not there. Had she been there, she would have heard—

Mr Breaugh: You weren't at the meeting I was at last night either. Shame on you.

Hon Mr Sorbara: Now it is the member for Oshawa who wants to shout out.

Had she been there, she would have heard me say that what section 54a of the amended act will do will be to provide a statutory framework for vocational rehabilitation in the province and that under those sections, my expectation will be that the board will become a much more effective instrument for vocational rehabilitation in Ontario. I am terribly proud of those sections. I think they will do a marvelous job of moving us in a direction we have long needed in this province.

Interjections.

The Speaker: Order. All right. Order. New question.

1420

PATRICIA STARR

Mr Brandt: The question is to the Premier. The Premier is quoted in yesterday's papers as saying, "Nothing surprises me any more in this whole matter and we have to get absolutely to the bottom of it," meaning the Patricia Starr affair. Certainly, we on this side of the House agree that we have to get to the bottom of all the allegations that are floating around relative to Ms Starr.

It was for that reason that yesterday I asked the Minister of Tourism and Recreation (Mr O'Neil), who is directly responsible for Ontario Place, to provide this House with the exchange of documents and information that took place between the minister, the deputy minister and Ms Starr during her two-year tenure as chairman of Ontario Place. The minister refused, indicating that I could receive that information through the Freedom of Information and Protection of Privacy Act. I have already written, requesting the receipt of that information through freedom of information.

The Premier well knows it is going to take many months before that information will be made available to me. Will the Premier, in his interest in getting this matter out and in the open and getting all the facts on the table, make that documentation available to us through his Minister of Tourism and Recreation?

Hon Mr Peterson: I think the minister answered the member quite appropriately yesterday. I gather the Provincial Auditor is in there, looking at everything to see if anything improper is there. There are lots of charges and allegations made. The member has made some that to the best of my knowledge are absolutely incorrect, but he is entitled to do it. Believe me, from our point of view, there is nothing to hide.

I think the auditor should look at all that material. Then obviously it will go to the standing committee on public accounts and it can analyse the whole thing from every point of view. If there are many mistakes, obviously they will be scrutinized and dealt with.

Mr Brandt: Perhaps the Premier can get away with that for a period of time. This nothing-to-hide defence he constantly puts up belies the fact that the information we have requested directly, which he is in a position to bring forward, namely the correspondence that took place between his minister, the deputy minister and Ms Starr, is

information that ultimately will come to light. That information will be made available to us.

Why is he so afraid to bring it forward now? Is he so afraid of the truth he cannot take that one simple step to indicate that the integrity of his government is strong enough that he is prepared to make the information available to us?

The Speaker: Thank you.

Mr Brandt: The fact of the matter is that he is hiding behind freedom of information. That is what he is doing.

Hon Mr Peterson: My honourable friend stands in this House very dramatically as if we are afraid of something, and I can say my honourable friend is wrong again. We said in response to his very thoughtful and fair-minded colleague, the member for Leeds-Grenville (Mr Runciman), a couple of weeks ago—he asked the same question—"Absolutely. You can have a complete look at the situation. The public accounts committee should look into it. The auditor is there. We have no problem with that and there is nothing to hide."

Somebody just sent me a note and this may assist my honourable friend in his fair-minded view of the situation. From a note I just got, I am told that Patti Starr received the gold medal from the then Ministry of Citizenship and Culture, awarded by the then minister, Susan Fish.

Obviously, Ms Fish had a very high view of Patti Starr. I am told she also received a \$1,500 donation from the National Council of Jewish Women of Canada in the 1987 campaign. My honourable friend would want to look at this in perspective and know that there are some colleagues who are very close to him who had a very high view of Ms Starr.

Interjections.

The Speaker: Order.

NOISE BARRIERS

Ms Collins: My question is to the Minister of Transportation. In the city of Stoney Creek in my riding, there are residential areas on the north side of the Queen Elizabeth Way between the highway and Lake Ontario. As this area develops, more and more of my constituents are affected by noise from the heavy traffic on the Queen Elizabeth Way. Could the minister inform the House as to his ministry's policy on noise barriers where residential areas abut major highways?

Hon Mr Fulton: Mr Speaker, I think perhaps first I should suggest that you and I negotiate the use of sound barriers.

Mr D. S. Cooke: Forget the humour. Interjections.

Hon Mr Fulton: It is going to take a minute.

My colleague the member for Wentworth East has raised a subject that has certainly been very important to her on previous occasions. She will recall that I answered a similar question to my friend the member for Scarborough-Ellesmere (Mr Faubert) with respect to our policy of new installations and the criteria for retrofitting, which we are working on, certainly, as the member would be aware, in major developed areas such as she has.

It is certainly in our interest. As soon and as quickly as we possibly can, the ministry is managing this with new installations and retrofitting, based on a standard and criteria the member is quite familiar with: noise levels, the number of homes, volumes of traffic and so on. We are working very quickly with respect to that program.

Ms Collins: In the budget, there was a line for expansion of the Queen Elizabeth Way. Could the minister inform the House whether this will include noise barriers and whether these barriers will be built alongside the Queen Elizabeth Way in Stoney Creek?

Hon Mr Fulton: There is a reference to the Queen Elizabeth Way with respect to the recent budget announcements on 17 May. While we have yet to make a formal announcement with respect to the details of that project, I am happy to tell the member that at the time of the construction and rehabilitation of that project there will indeed be sound barriers in the area of Stoney Creek.

PATRICIA STARR

Mr B. Rae: I have a question to the Premier concerning the question I raised with him earlier on, to which he took some objection. I want to ask the Premier again some very specific questions about the three individuals who continue to play an executive role in his government, two parliamentary assistants and a cabinet minister. I want to ask the Premier, how long will it take him to ascertain the facts and reach a judgement on whether he believes these individuals have behaved properly or improperly with respect to their involvement with Mrs Starr?

Hon Mr Peterson: My honourable friend is aware there are some independent bodies, including the Commission on Election Finances, the Conflict of Interest Commissioner and others, the special prosecutor and the police

commission as well, looking at these matters. I will look at their determination of the facts and make judgements thereupon.

Mr B. Rae: This is extraordinary. The Premier could simply go over to the member for St Andrew-St Patrick (Mr Kanter) and ask him: "What happened? What did you know? Did you condone? Were you aware? Did you realize a transaction was being made with respect to the rental of a basement of your committee room?" Everybody here knows what the basements of committee rooms are worth; we are all politicians; we know the value of those basements. "Did you condone the rental of a basement that transferred thousands of dollars to your account? Were you aware of that transaction?"

What is the difficulty? What problem does the Premier have in walking over to the member and simply asking that question and then reaching a judgement as to whether he continues to have confidence in people who are drawing an additional salary as parliamentary assistants or an additional salary as a minister? What is his problem?

Hon Mr Peterson: Obviously, a number of facts have been determined, and the judgement of the people concerned, but frankly, the member does not believe it. He comes up and continues to put his own interpretation on it. He believes his version of the truth and other people believe another version of the facts, because he always stands up and puts an interpretation on it that someone is misleading him. Perhaps that is his job as Leader of the Opposition. Perhaps he is a professional cynic. Who knows?

But what I am telling him is, is it not fair, because we have created independent bodies to determine these facts and make sure they are clear, to attend their judgements? Frankly, his interpretation of the facts is not always accurate in these matters. He has heard these members respond in the circumstances and, I think, obviously he is not prepared to take it at face value.

1430

Mr Harris: I also have a question for the Premier, who has taken great pains to point out the investigations that are taking place on Ms Starr. I do not think there is any doubt that something went wrong from that point of view. I suggest, though, that the bigger question that has to be of interest and of great concern to the Premier is why she did what she did. Where did the money come from? Why did the money go where it went? Who was to benefit and how did all this happen?

I think the Premier would want to know those things and would want to be concerned about those things because so many of these issues deal with members of his cabinet and with members of his party and, in effect, deal with the very standards that the Premier would want to set and would want to have for anybody in elected office and surely, as leader of his party, for those members of his party.

The Speaker: Question?

Mr Harris: In an article by Derek Ferguson, the member for York Mills (Mr J. B. Nixon) indicated in an interview that it was he who talked Starr—it does not matter whether it was Starr or anybody—into hiring Crossman, his campaign manager, after the election as a reward for the campaign work. Is it acceptable to the Premier that any Liberal candidate ought to be promising rewards through a contract from whatever vehicle?

The Speaker: Thank you. The question has been well put.

Hon Mr Peterson: My honourable friend is prejudging this situation. I said that we are looking at all of the matters involved here, what was implied and what was not. I do not think that he can jump to those easy conclusions right now. I do not think there is any misuse of government funds in this regard. Presumably, he had a high regard for whoever the person was, but I am not prepared to prejudge it.

Mr Harris: Aside from wherever this money came from—I am not asking the Premier the question about whether it came from private sources, from government sources or from wherever—I am really getting down to what his standards are. What standards is he going to set?

This article has been out now for a week. It is not speculation. I am quoting from the article as to what the member for York Mills said. He said that in the wake of controversy he regrets it, but he does not seem to indicate that he thinks there is anything wrong with having a campaign manager promised some payola at some point in time; the campaign manager saying, “Because someone would construe this as a political contribution, I cannot accept it during the campaign.” So five days after the campaign, along comes the money.

The Speaker: The question?

Mr Harris: Nobody is denying any of this. The member for York Mills has not denied it. They are all confirming it. Is that acceptable to the Premier? Is that the standard the Premier wants to set for the members of his party, because I will tell him it is not the standard we expect—

The Speaker: Order. The member is making a speech.

Hon Mr Peterson: My honourable friend is going to have to be most careful about catching morality late in life. I am very much interested in his judgements now from on high. I say that it is interesting how much they change, and I appreciate it.

However, let me say to my honourable friend, from what I am told there is no suggestion of the construction that my honourable friend would like to put on it. He stands in this House and uses value-laden words like “payola,” and he wants to put his own interpretation on this. But I say to my friend that I am not sure other fairminded people would interpret it that way.

Hon Mr Conway: Remember Morley Rosenberg?

The Speaker: Order.

HOME CARE

Mr Matrundola: My question is to the Minister without Portfolio responsible for senior citizens' affairs. At about 9 pm on Sunday 4 June, 81-year-old John Palmer, a constituent of mine, fell in his apartment. The building is owned and operated by the Metropolitan Toronto Housing Co. Mr Palmer broke his hip and could not reach the telephone.

Despite calling for help and turning up the volume on his television, Mr Palmer was not found until Tuesday afternoon, some 40 hours later, by which time he was also suffering from dehydration. I am very glad to hear that Mr Palmer is now recovering, but stories like this are not unique and often very much more tragic.

Mr Palmer's family has suggested that a buddy system could be established in seniors' buildings, where four or five residents would be responsible for checking on each other daily. Another possible system might have each resident check in with the superintendent every day.

The Speaker: Have you a question?

Mr Matrundola: Yes. If they were not heard from, a designated individual could visit the apartment to make sure they were in good health.

I would like to ask the minister if she thinks that a system of this nature is feasible and if she would look into its possible implementation—

The Speaker: Thank you.

Some hon members: Order, order.

The Speaker: Order.

Hon Mrs Wilson: I want to thank the member for Willowdale for his question and also to

acknowledge his very deep concern for his constituent.

Our government supports persons living independently in the community through a variety of home support services. These include telephone security checks and personal security checks. These are typical programs which are offered to ensure the security of persons who are living in the community. They are part of our home support services network, which is funded through the Ministry of Community and Social Services.

This year, some \$50 million will be spent on home support services, which is a tripling of the funds that were spent on these services just three years ago.

We fund a variety of agencies all across the province to provide these services. In Willowdale, they include those offered by the North York Seniors Centre, Senior Care and Friends of the Family. Also, the Metropolitan Toronto Housing Authority has community relations officers who, as part of their responsibilities, encourage senior tenants to put into effect a buddy system whereby the tenants become responsible for checking on the security of each other.

Our government is committed, through working with volunteer and community groups and agencies in partnership, to fostering a sense of security and wellbeing for people who live in our communities.

SECURITY GUARD LICENCE

Mr Kormos: I have a question of the acting Solicitor General. Yesterday he heard the Minister of Labour (Mr Sorbara) express his concern about the fact that Paul Downing had received a private investigator's licence and, indeed, his new company, Canada Security Corp.

This is the same Paul Downing who so thoroughly violated labour law here in this province earlier in the 1980s that it resulted in a compensatory award in excess of \$500,000, most of that money to be paid to workers who were victims of Downing and his security company and the agents provocateurs who were infiltrated into the workers' ranks. Not a penny of that judgement has been paid, least of all to any of those workers who were impacted seriously by it. Indeed, Downing is a bankrupt. The press indicates that he has defaulted on almost \$250,000 of personal income tax.

The Speaker: Question?

Mr Kormos: How is it that a person as reprehensible and slimy as Downing can be

relicensed, when he has broken all the rules and when he—

Hon Mrs Caplan: What is your opinion of this person? How do you really feel?

Hon Mr Wrye: Try not to be judgemental.

Hon Mr Bradley: Where's Mel Swart?

The Speaker: Order.

Hon Mr Scott: Whoever this Downing is, he certainly will not be able to sue the honourable member for saying that in the House because of his immunity. I guess that is one of the advantages of being elected.

I will be glad to look into the matter for the honourable member.

1440

Mr Kormos: Perhaps I can be of a little bit of help to the acting Solicitor General, because back in 1983 the Ontario Provincial Police were initiating the process of revoking Downing's own licence of the time. So how come back in 1983 the OPP were of the opinion that this man should not hold a licence, yet all of a sudden now in 1989 he is given a licence and permitted to get back into the very same sort of business that resulted in significant losses to workers and resulted in a really reprehensible sort of act of getting into a business that he has no business being in?

The Speaker: Order. The question has been asked.

Hon Mr Scott: I have undertaken to my friend that I will get back to him about the matter as quickly as I can, and I will.

The Speaker: New question. The member for Mississauga South.

Mrs Marland: My question is for the Minister of the Environment. I know that the minister is aware that—

Mr Laughren: I'm surprised you didn't know about this.

Hon Mr Scott: I didn't say I knew everything. That's reserved for you guys. You're the ones who know everything.

Mr D. S. Cooke: No.

Hon Mr Scott: If you don't know it, you guys make it up. I'm learning, though. I will catch up with you quickly enough.

The Speaker: Order. The member for Mississauga South has a question, and I did not hear to which minister.

Mrs Marland: To the Minister of the Environment. It is really too bad that the Attorney

General (Mr Scott) does not get a chance to speak in his own right.

STORM WATER

Mrs Marland: I know that the Minister of the Environment is aware that there have been dozens of used syringes and other urban debris washed up on Sunnyside beach in the city of Toronto. Officials suspect that this debris came from storm sewers which empty directly into Lake Ontario without treatment.

The minister announced three years ago that he would bring forward an urban drainage management program to regulate the treatment of storm water. Would he tell the House today when we will see these regulations?

Hon Mr Bradley: First of all, I can say that the conclusions some people have reached are not confirmed. There has been some speculation as to the fact that drug users may have in fact been responsible. Whether the syringes have been disposed of through the sanitary system or the storm sewer system or whether they were simply thrown into the lake, which some people suspect, has not been determined to this point in time, so I think it is difficult to make that attribution.

As the member will know, we have examined a number of ways of dealing with the problems of beaches as they relate to bacteria, and I recognize that is not precisely what the member is talking about, but one of the things that has been implemented in some of the areas in the province—Hamilton is one, because I recall in 1987 being involved in the opening of one—is retention tanks, which have the purpose of not allowing everything to flow into the system at the same time and permit material to be discharged at a more appropriate flow.

I think people would be hopeful that this is one of the answers, but if the member is suggesting that all storm water in the province be flowed through sewage treatment plants, we would have sewage treatments that are a tremendous size in the province and—

The Speaker: Thank you. There is probably enough information there that the member may have a supplementary.

Mrs Marland: I guess, with the interjections of his colleague the Attorney General, the minister could not hear my question, because he was certainly was not able to answer it.

I was talking about the urban drainage management program, which is a program he said he would announce, and we still have not seen the regulations. I will let him read Hansard

and maybe I will get that answer later. I will go to my supplementary.

The minister is obviously very much aware that the storm water treatment strategy is essential to keeping our beaches clean. It is my understanding that this urban drainage strategy has been before the minister on several occasions, but it is not yet approved.

Obviously the minister is once again dragging his feet on a very important program that should have been initiated years ago. I am wondering if the minister would tell us how often we can expect to see the beaches in the Toronto area closed this summer as a result of his inaction on that particular program.

Hon Mr Bradley: I know the member will be familiar with the millions upon millions of dollars which have been allocated to municipalities. The Treasurer (Mr R. F. Nixon) indicated, for instance, some \$196 million in capital improvements alone this year. In addition to that, I have a program in conjunction with the Minister of Agriculture and Food (Mr Riddell) which assists farmers in avoiding some of the problems which contributed to lake contamination in the past as well as in urban areas and right across the province of Ontario.

Municipalities working hand in hand in partnership with the government of Ontario are improving and expanding sewage treatment plants. They are continuing to work together with the Association of Municipalities of Ontario. The member will recall that our ministry doubled the amount of money that was available in large urban municipalities for the purposes of dealing with the pollution problems.

They used to give 15 per cent when they were in power. We now give up to 33 per cent for those environmental components to deal with this problem. All of that is having a positive effect. I go from municipality to municipality and they sing—

Mr Pouliot: Don't go to Marathon.

Hon Mr Bradley: —they almost sing—well, in Marathon, of course, we are talking about something entirely different.

Interjections.

The Speaker: Perhaps we could continue this debate at a later date.

INTERNATIONAL TRADE

Mr Tatham: My question is to the Minister of Industry, Trade and Technology. Two thirds of the 100 Japanese companies in Britain have arrived there in the past five years. Toyota and

Fujitsu announced large ventures in April, bringing total Japanese investments in Britain to over \$17 billion. This is part of Japan's strategy for Europe 1992, to think British. What should we be doing?

Hon Mr Kwinter: I am sure members will know that Europe 1992 is going to be one of the final stages in the consolidation of the European market and in fact is going to create a market of 320 million people. That is going to present both an opportunity and a challenge. The opportunity, of course, is that Canadian manufacturers can access the European market through any of the member countries and that is going to provide them with a very easy way to access this huge market.

The challenge is that it is going to also provide a consolidation, a rationalization, of the European companies which will be able to compete even more favourably with the Canadian companies. We are making Canadian companies, and Ontario companies in particular, aware of Europe 1992 to make sure that they are positioning themselves so that they can capitalize on all the opportunities that will present themselves and also to position themselves to withstand any of the competition that may adversely affect them.

Mr Tatham: A Rand Corp study suggests that the world power centre is shifting towards the Pacific Rim. Japan has a gross national product about the same as that of the Soviet Union. With continuing strong economic growth and a relatively low birth rate, Japan will surpass the United States in one key indicator of economic strength, per capita gross national product, by 2010, according to Rand predictions. What action are we taking to capitalize on this trend?

Hon Mr Kwinter: We as a government are very active in the Pacific Rim. I am sure members will know or will want to know that we have offices in Singapore, Hong Kong, Korea, New Delhi, China and Japan, and we are apprising all our manufacturers that we have identified as having goods that could be traded in the Pacific Rim to take advantage of those opportunities. We are holding meetings and seminars and we are making them aware of the trading opportunities that are there.

There is no question that with the advent of the so-called Four Tigers in the southeast Pacific and with the advent of Japan as probably the leading economy in the world in year 2000, this is an area that we as Canadians and as Ontarians have really got to concentrate on so that we can make sure we can avail ourselves of all the opportunities that are there.

1450

USE OF PESTICIDES

Mr B. Rae: I have a question for the Minister of Agriculture and Food. I am sure the minister will have seen the study which was released in the paper this morning and discussed on the news last night, which follows several studies in the United States as well as national studies, showing that there is a very substantial, clearly established link between the use of herbicides, 2,4-D and the occurrence of lymphoma and non-Hodgkins lymphoma in the farming population and concerns about the spread of lymphoma in the wider population. I would like to ask the minister if he can tell us what advice he has for Ontario farmers as a result of this very disturbing study?

Hon Mr Riddell: We have in place a program called Food Systems 2002 whereby we train farmers in the proper use of pesticides. I will advise the honourable member that to date 11,000 farmers have taken the pesticides training course that both the Ministry of the Environment and the Ministry of Agriculture and Food sponsor. The Minister of the Environment (Mr Bradley) has indicated that he will be making that training program mandatory. This means that all farmers handling pesticides of any kind will be required to take a mandatory training course so that they will know how to properly apply, handle and store the pesticide.

Mr B. Rae: The studies from the Ontario Cancer Treatment and Research Foundation show some very alarming statistics about the increase and the incidence of lymphoma.

I would like to ask the minister if he would consider the following facts: The incidence of all lymphomas as a percentage of cancer has increased from 6.3 per cent in 1975 to 7.8 per cent in 1986. The incidence of lymphomas in the "other" category has increased from 0.5 per cent to nearly two per cent. Most dramatic is the percentage increase in the incidence of the particular subgroups of lymphomas from 75 per cent to 86 per cent. The "other" category's incidence increased by 513 per cent from 1975 to 1986.

The Ministry of the Environment's pesticides advisory committee okayed the use of 2,4-D. I want to say to the minister that we do not think the use of 2,4-D is okay. We think the link with cancer is being clearly established across the country and around the world. We think it is time the minister reacted with respect to the use of 2,4-D on our farms and on our farm products.

Hon Mr Riddell: I believe that the ministries have reacted. I have already talked about the Food Systems 2002 program where we will endeavour to reduce the amount of chemical that is used on the farms by 50 per cent over the next 15 years, and in a shorter period of time if it can be done. But we are striving to come up with other ways of controlling pests such as biological ways, through research and breeding cultivars that have a natural resistance to these pests.

We are taking a very proactive stance and I am hoping that we can cut down the amount of chemicals used by 50 per cent over what we consider to be a fairly short period of time.

The Speaker: Does the member for London North have a brief question?

APPRENTICESHIP TRAINING

Mrs Cunningham: No, I do not have a brief question, but I do have a question.

My question is to the Minister of Skills Development. I would like to quote from the standing committee on finance and economic affairs Pre-Budget Consultation, 1989. "The increasing liberalization of trade, as well as the globalization of manufacturing with its development of new patterns of specialization, are having profound implications for Ontario's industries."

One of the great concerns was that we examine apprenticeship ratios. Some say they are too restrictive and we should be relaxing these ratios for regions and trades exhibiting high growth. What is the plan of the minister, what committee is looking at this and when will we hear some results telling us that there will be changes in ratios of journeymen to apprenticeships in this province?

Hon Mr Curling: I am just so sorry that the member will not have enough time to ask a supplementary because it is a very good question. It is a concern not only of this government, but of industry and unions, the concern of the apprentices-to-journeymen ratio.

As the honourable member knows, some apprenticeship ratios are regulated and can only be changed by a change in the regulation. Other apprenticeship programs can also be changed through the director of apprenticeships. Of course, the changes of these ratios are normally presented to the provincial advisory committee and when recommendations are made, we consider those to make those kinds of changes.

In a statement recently, the member mentioned that the apprenticeship program is dead. I should remind her that in December of last year

in the estimates she, for one, talked about how important apprenticeship is.

The Speaker: Thank you.

PETITIONS

HIGHWAY CONSTRUCTION

Mr Miclash: I have two petitions, one of which reads:

"I, a citizen of the trimunicipal area, having been made aware of the final design of the entrances and exits and impacts of the rerouting of Highway 17, am signing this petition in opposition to this proposed design." I want to see Highway 17 remain as is and the bypass be just that, a bypass, not the rerouting of Highway 17.

This has been signed by 5,646 people. I have attached my name as well.

My second petition reads:

"The following businesses in the Kenora, Keewatin, Jaffray Melick and surrounding areas support a redesigning of the east and west entrances and exits to the bypass."

This has been signed by 322 employers, and I have attached my name as well.

The Speaker: It seems to be the usual procedure for the Speaker to remind all members that some members wish to present petitions to this House, if we could have your attention.

TEACHERS' SUPERANNUATION

Mr Villeneuve: "To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"Whereas the government of Ontario in its discussions with the Ontario Teachers' Federation on amendments to the Teachers' Superannuation Act has refused to allow an equal partnership between teachers and government in management of the pension fund, establishment of an acceptable contribution increase, benefit adjustments, equitable treatment of future surpluses and a satisfactory dispute resolution process,

"We, the undersigned, petition the Legislative Assembly to insist that the Treasurer of Ontario negotiate with the Ontario Teachers' Federation towards an equitable settlement."

This petition has 21 names on it and I have affixed my name to it as well.

WORKERS' COMPENSATION

Mr Kormos: I have a petition addressed, "To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario." It reads:

"We, the undersigned, beg leave to petition the Parliament of Ontario:

"Whereas Bill 162 (a) does nothing to improve lifetime pensions (especially for disease and soft-tissue injuries); (b) denies injured workers the right to rehabilitation; (c) offers re-employment rights that are less than afforded by the human rights act; (d) gives too much discretionary power to the WCB to deny injured workers' benefits; (e) restricts injured workers the right to appeal;

"We request this assembly to advise the Labour minister, the Honourable Gregory Sorbara, to withdraw said Bill 162, An Act to amend the Workers' Compensation Act."

It is signed by Kim Lisicky of Port Colborne along with nine others, and of course I have attached my signature as well.

NATUROPATHY

Mr Reycraft: I have four petitions. The first is addressed to the Lieutenant Governor and the Legislative Assembly of Ontario. It calls on the Legislature to "guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

It is signed by 61 people from the riding of Fort York, and I have affixed my signature as required by the rules.

TEACHERS' SUPERANNUATION

Mr Reycraft: The other three petitions are similar. They all call on the Legislative Assembly to insist that the Treasurer (Mr R. F. Nixon) negotiate with the Ontario Teachers' Federation towards an equitable settlement. One of them is signed by 13 people from the riding of Brant-Haldimand, the second by 37 people from the riding of Renfrew North, and the other by 256 people from the riding of Niagara Falls and other parts of Ontario.

1500

NATUROPATHY

Mrs Cunningham: I have a petition signed by 290 citizens of the city of London and the petition reads:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas it is my constitutional right to have available and to choose the health care system of my preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

I have signed the petition.

WORKERS' COMPENSATION

Miss Martel: I have a petition addressed to the Lieutenant Governor and the Legislative Assembly of Ontario which reads as follows:

"We urge the Liberal government to scrap Bill 162, An Act to amend the Workers' Compensation Act,

"Because Bill 162 contains the most significant changes to the Ontario system of workers' compensation for many years, and yet, as was confirmed through the public hearings, was developed without an adequate process of public consultation; and

"Because Bill 162 represents an attack on injured workers and their families and all those people who have fought over the years to achieve fairness and justice for injured workers and their families; and

"Because Bill 162 will eliminate the current lifetime pension for lifetime disability and replace it with a dual award system with a lump sum and wage-loss awards that have been rejected by injured workers, their advocacy groups, legal workers and lawyers and by the trade union movement since it was first proposed for implementation in Ontario by the 1980 Weiler report and the Conservative government's 1981 white paper; and

"Because Bill 162 virtually ignores the devastating critique and recommendations of the Majesky-Minna task force that was submitted to the Minister of Labour and suppressed by the Liberal government until April 1988; and

"Because Bill 162 gives legislative form to the unacceptable and reactionary policy of restricting access to supplement awards announced by the Workers' Compensation Board in 1987; and

"Because throughout Bill 162, injured workers are made subject to increased discretionary power at the hands of the Workers' Compensation Board and made subject to ever more intrusive and demeaning assaults on their dignity, their privacy and their right to fair and just treatment."

This is signed by workers at Neighbourhood Legal Services in London and Middlesex. I have put my name to it and I agree with them entirely.

The Speaker: The member for Algoma-Manitoulin. Oh, sorry; the member for Oakville South.

Mr Carrothers: You gave me a shock for a moment, Mr Speaker.

NATUROPATHY

Mr Carrothers: I have a petition signed by some 100 people calling on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science and I have signed that petition.

Mr Epp: I have a petition signed by 187 people. It is addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas it is my constitutional right to have available and to choose the health care system of my preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

PROPERTY SPECULATION

Mr Laughren: I have a petition from the Affordable Housing Action Group from Toronto with literally thousands and thousands of people's signatures on it—too many to count, actually—and it reads as follows:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Given that property speculation in Ontario has contributed to driving up the cost of home ownership, to increasing the cost of building nonprofit housing, and to rent increases for tenants because speculators are rewarded under the provincial government's rent review law, we demand that the government of Ontario impose a tax on the capital gain on nonprincipal residences and land, so that:

"100 per cent of the profit is taxed away on resales within one year;

"75 per cent of the profit is taxed away on resales within two years;

"50 per cent of the profit is taxed away on resales within three years;

"25 per cent of the profit is taxed away on resales within four years."

I am pleased to present this presentation and I urge the clerks at the table to keep it.

RELIGIOUS EDUCATION

Mr Runciman: I have three separate petitions. The first is from the parish of Augusta in

Maitland, Ontario, and it is dealing with recommendations respecting religious education in elementary and secondary schools of Ontario.

TEACHERS' SUPERANNUATION

Mr Runciman: The second petition is from a number of members of the Ontario Teachers' Federation in my riding, expressing concerns with respect to ongoing negotiations dealing with the Teachers' Superannuation Act, pension reform and pension contributions.

TOBACCO TAX

Mr Runciman: Finally, I have a petition with 1,293 signatures, essentially asking the government to hold the line on tobacco taxes in Ontario.

WORKERS' COMPENSATION

Mr Farnan: I have two petitions. The first is from the Kitchener-Waterloo Injured Workers' Group.

"To the Honourable Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario:

"We, the injured workers of Ontario, demand that a royal commission be set up immediately to deal with the worst piece of legislation ever to be enacted by a government this century.

"Bill 162 is a bill which will kill lifetime pensions, discriminate against age, deny loss of wages and rehabilitation and leave survivors out in the cold.

"The bill does not guarantee reinstatement nor help those already injured, and does not protect workers unfortunate enough to get injured on the job in the future.

"This bill is in violation of our human rights as injured workers. The bill itself is being implemented at this very moment, even though it has not been passed by the Ontario government.

"We, the undersigned, demand that Bill 162 be scrapped."

It is signed by three injured workers from the Kitchener-Waterloo Injured Workers' Group. I have affixed my name to the petition and I agree with its sentiments.

CORRECTIONAL WORKERS

Mr Farnan: The second petition is from the correctional officers of Ontario. It is signed by 250 officers.

"To the honourable Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas the Liberal government of Ontario has refused to make pensions for the Ontario public service negotiable; and

"Whereas this same government has not demonstrated a willingness to bring about pension reform for bargaining unit employees in the corrections wage category; and

"Whereas the Liberal government of Ontario continues to condone overcrowded correctional facilities and continues to understaff these same facilities; and

"Whereas the overcrowding and understaffing place further undue stress on correctional workers; and

"Whereas the stress caused by an intolerable work environment leads to the vast majority of corrections workers not living full lives and not enjoying a long, meaningful retirement; and

"Whereas during the various levels of ongoing negotiations between the correctional workers' bargaining agent, OPSEU, and the government and its agencies, no meaningful progress has been made to date; and

"Whereas during the current round of wage negotiations, the government, through its agency, the human resources secretariat, has refused to recognize the value of correctional officers and their contribution to Ontario society;

"Therefore, we urge the Liberal government of Ontario and its various agencies to address our concerns by eliminating overcrowding of correctional facilities, staffing all correctional facilities at levels that would greatly reduce the incidence of inmate assaults on correctional workers, making OPS pensions negotiable, introducing pension reform that would allow for early retirement and returning to the wage negotiation table with a view to reaching a settlement that would recognize the work of correctional officers."

I have attached my name to this petition and I agree wholeheartedly and entirely with the petition.

The Speaker: Are there any other lengthy petitions?

Mr Morin-Strom: I do not have a lengthy one. I have rather a short one.

The Speaker: Very good.

WORKERS' COMPENSATION

Mr Morin-Strom: However, in fact, it is a stack, I believe, of 110 petitions signed by residents of Sault Ste Marie.

"To the honourable Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, petition the government of Ontario to reform the workers' compensation system in Ontario so that people injured at work can get decent pensions, rehabilitation and jobs when they are able." I have affixed my signature to this stack of petitions and would hope the government would take them into serious consideration.

1510

NATUROPATHY

Mr Kanter: I have a petition signed by approximately 100 citizens, many of them residents of my riding, as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of the province of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas it is my constitutional right to have available and to choose the health care system of our preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

I have signed my name to the last page of the petition.

REPORTS BY COMMITTEE

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Mr Callahan from the standing committee on administration of justice presented the following report and moved its adoption:

Your committee begs to report the following bill without amendment:

Bill 10, An Act to control Automobile Insurance Rates.

Motion agreed to.

Bill ordered for third reading.

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Mrs O'Neill from the standing committee on social development presented the following report and moved its adoption:

Your committee begs to report the following bill without amendment:

Bill 5, An Act to amend the Education Act.

Motion agreed to.

Bill ordered for third reading.

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr Furlong from the standing committee on regulations and private bills presented the committee's first report, 1989, and moved its adoption.

Mr Furlong: The committee presents this report on regulations filed in 1987 in accordance with its permanent reference, that being section 12 of the Regulations Act, RSO 1980, chapter 446, which provides that the committee shall consider the scope of and the authority for all regulations but not the underlying policies or legislative objectives.

The committee reviewed 725 regulations made under the authority of 145 acts under the administration of 23 ministries, the Office of the Assembly, the Office of the Premier and the Management Board of Cabinet.

The terms of reference of the committee are contained in standing order 90(j) of the Legislative Assembly.

On motion by Mr Furlong, the debate was adjourned.

INTRODUCTION OF BILL

ASSESSMENT AMENDMENT ACT, 1989

Hon Mr Grandmaître moved first reading of Bill 37, An Act to amend the Assessment Act.

Motion agreed to.

ORDERS OF THE DAY

ONTARIO MUNICIPAL BOARD AMENDMENT ACT, 1989

Mr Offer, on behalf of Hon Mr Scott, moved second reading of Bill 1, An Act to amend the Ontario Municipal Board Act.

Mr Offer: Very briefly, the purpose of this bill is to convert the position of secretary of the Ontario Municipal Board into a public service position. At present, the secretary is appointed by the Lieutenant Governor in Council and serves at pleasure.

The duties of the secretary, as prescribed under the act, generally include the administrative responsibilities related to the operation of the board. For example, the secretary must keep a record of all applications to and proceedings before the board or any member, maintain all records and documents relating to board business and prepare orders pursuant to the directions of

the board and according to statute. In addition, this officer is responsible for granting, for instance, notice abridgements, assigning hearing dates, otherwise organizing the board's calendar and deciding in certain cases whether adjournments should be granted.

I trust we will have the unanimous consent of the House in the passage of this legislation.

Mr Hampton: I want to say only that this bill is obviously of monumental importance. Coming as it does at a time when the government is involved in great controversy, it is clear that the government should probably convert a lot of order-in-council positions to permanent positions. Maybe they could avoid a lot of controversy. That way it would not get into so much trouble with its order-in-council appointments.

So we support this legislation. In fact, I would recommend to the government House leader now that he consider more appointments of this type, bringing them within the public service. As I say, he might avoid a lot of controversy by doing so and might avoid making some bad order-in-council appointments in doing so.

Mr Sterling: We too will be supporting this bill. I believe Bill 1 normally is introduced by the government to show the independence of the government from the crown, represented by the Lieutenant Governor, and usually is inconsequential.

Hon Mr Conway: Lieutenant.

Mr Sterling: It depends on where you are from.

Interjection.

The Speaker: The member for Carleton has the floor.

Mr Sterling: I was going to be very brief until I was interrupted by the government House leader as to how I pronounced Lieutenant Governor. He finds that a significant issue and I am afraid I do not.

We are going to support this bill in the good spirit of trying to move legislation forward as quickly as possible. Our caucus will be supporting this without objection.

Mr Offer: I would like to thank my colleagues on the other side for their support of this very important piece of legislation. This bill is part of a general initiative of the Ministry of the Attorney General to improve the system of government appointments and eliminate unnecessary order-in-council appointments. While in some cases order-in-council appointments are useful in ensuring independence from ministerial control, there are certain drawbacks associated

with such a method of appointment. On that basis, I end the debate.

Motion agreed to.

Bill ordered for third reading.

FUNERAL DIRECTORS AND ESTABLISHMENTS ACT, 1989

Hon Mr Wrye moved second reading of Bill 30, An Act respecting Funeral Directors and Establishments.

Hon Mr Wrye: I want to review for a few minutes some of the features of this legislation, which is quite extensive in nature. The bill of course focuses on enhanced consumer protection and contains provisions that will ensure a more equitable marketplace for consumers, business and nonprofit participants through improved access to information and services.

The legislation will replace and enhance a number of pieces of legislation or proposed legislation, my ministry's present Prearranged Funeral Services Act and the Funeral Services Act, which now resides with the Ministry of Health. As well, many of the provisions that were contained in the previous Bill 27, the Prepaid Funeral Services Act that died in Orders and Notices in the last session have been incorporated into this new legislation.

1520

Today's consumers are faced with more commercial aspects of the bereavement sector, such as costs and pre-need purchasing. First of all, the bill will transfer responsibility for funeral services legislation, the entire responsibility, to my ministry. The Board of Funeral Services, which has responsibility for licensing funeral directors, establishments and transfer services for inspections and other administrative duties will come over to the Ministry of Consumer and Commercial Relations with that transfer.

The legislation, as the House knows, was released in draft form in early April. Since that time, we have had an opportunity to meet with many interest groups to discuss the bill and to discuss the companion piece which will also be before the House this afternoon. As a result of that consultation and indeed the extensive study that has taken place over the last few years, we have made certain additional changes. I think this legislation is among the strongest and most progressive in this field anywhere in North America.

As honourable members will know, the purchase of death care services is really a uniquely sensitive transaction. During the con-

sultation process, indeed during this whole process, considerable attention focused on the issue of door-to-door and telephone solicitation. We decided, as the House knows, that this type of marketing presents the unavoidable risk that the ill or recently bereaved may be contacted; thus, in its original form, the act contained a prohibition of all door-to-door and telephone solicitation.

But again, and it was very useful during the consultation that followed the release of the unnumbered bills, several groups, particularly the Consumers' Association of Canada, raised the point and the issue that solicitation could then be conducted through workplaces. As a result, the bill that I am proposing goes farther than the original draft in that it proposes to eliminate this possibility.

There are also a number of disclosure provisions that I think are important to this new legislation. Let me just quickly run over them. First, a fully itemized price list will be made available to the public for supplies and services, and reasonable information must be given over the telephone upon request. Second, all funeral establishments will be required to provide nontraditional funerals and basic low-cost funerals on request. Third, licensed transfer services will be permitted to offer basic disposition services, such as the removal and transportation of remains, and the filing of documents.

In response to the changing multicultural nature of Ontario society, funeral directors are going to be established and licensed in two categories, those who perform embalming and those who choose not to.

The bill also expressly prohibits unethical business practices, such as excessive pricing, misleading or deceptive advertising and high pressure sales tactics. Consumers will be protected from those high pressure sales tactics with the provision of a 30-day cooling-off period when they purchase pre-need funeral services. In fact, all prepaid contracts can be cancelled at any time prior to the services being delivered, and if the service is cancelled in that 30-day-period, then no administration fee is charged. Indeed, there is no charge at all. After that, an administration fee will be taken out.

The bill also contains measures to ensure that the current trust funding arrangements are made more adequate. To ensure the consumer's money is protected, the bill requires 100 per cent trusting of all moneys paid in advance of need, and the procedures involved in withdrawing the trust funds have been strengthened, requiring specific

documentation before the money is released. In addition, all money received for a prepaid funeral will be held together with income accrued in trust for the beneficiary until it is dispersed in accordance with the act.

To further protect consumers, because in spite of all our efforts there can be failures within this industry as there are in others, we have as the House will know, established a compensation fund in this field for the first time. It will be similar to compensation funds in other fields, such as the travel industry. We on this side believe the compensation funds in those other fields have proven to be a great success in protecting the consumers in those industries. This is quite a mature industry and one where we kind of wrap our arms around a compensation fund, and so we have moved in that direction.

The bill also continues and indeed clarifies the current prohibition against operational connection between funeral homes and cemeteries.

Let me just stop here and indicate that the issue of one-stop shopping versus complete separation was really a key area of concern. I suppose the government, in announcing its policy decisions, has chosen a middle ground. The idea of moving to one-stop shopping is certainly in some ways attractive and has been used in other jurisdictions. We felt that in the longer term it would lead to a lessening of competition as larger operators bought out smaller ones, and that with that more oligopolistic circumstance beginning to take hold, we would see over the longer term increased prices and with those increased prices, obviously, decreased choices as well.

On the other hand, we felt that to demand complete separation and to prohibit passive financial linkages would really place an unnecessarily intrusive limitation on investment and would be injurious to existing investors. As all members know, there are some passive linkages that exist even today.

Prohibited operational connections will be clearly defined in the regulations that we will pass in accordance with this bill. By way of example, they will include joint marketing referral, selling and common directorships. Regulations will also prohibit funeral establishments and cemeteries from being located on one site. I can assure the House and my colleagues that these prohibitions will be strictly enforced by the ministry.

Consumers in this province expect a choice of services and an equitable marketplace in which to do business. This is particularly true at a time, and this is certainly one of those times, when they

would be at their most vulnerable. I believe the new legislation responds to those needs and those challenges and I hope members of all parties will endorse the legislation.

Mr Farnan: First of all, at this time I would like to pay special notice to the origin of this legislation, which we believe is basically good legislation. I think all fair-minded members of this House will recognize that the concerns and problems that existed in this industry were recognized by my predecessor, the Consumer and Commercial Affairs critic for the New Democratic Party, Mel Swart, the former member for Welland-Thorold.

The advocacy and the work of Mel Swart really mobilized this issue, and I would hope the minister will find the time in his remarks today to recognize the work of Dr Swart. Dr Swart's work has been recognized throughout Ontario. Indeed, he was given an honorary doctorate of law by Brock University, not based simply on this contribution, but certainly it is one of the contributions he has made.

Knowing the minister and knowing his ability and willingness to show and demonstrate a generosity of spirit, I know he will not let this occasion pass, I sincerely hope, without recognizing the contribution and work of the former New Democratic member for Welland-Thorold, who has been the champion and the primary advocate of consumer protection within this whole area. We in the New Democratic Party are very pleased when those just causes that are championed by our party eventually are picked up by the government and translated into good legislation.

1530

Having said that, I do not think New Democrats can take all the glory for this particular piece of legislation. I think we have to recognize that the primacy of advocacy for this legislation does belong to my predecessor, Mel Swart, but let me say this to the minister: Both in the process and the substance of this legislation, there is much to be commended. I think that a Minister of Consumer and Commercial Relations can look at the manner in which the legislation was brought forward and realize there was a considerable degree of consultation, so we commend the government for the process.

I think we can also say we commend the government for the substance. I am not going to reiterate all the positive things in the bill; I think the minister has done that very ably and I concur. I believe that as New Democrats we concur with the overall positive effect this legislation will

have in terms of consumer protection and information to consumers in the whole area of solicitation and prepaid funerals.

However, the minister made one statement in his presentation of the bill, and I want to draw particular attention to this particular wording. The minister said the government chose the middle ground between one-stop shopping and separation. We are talking about the separation of the cemetery and funeral services and, in the overall picture, the separation of the funeral services, the cemeteries and the monument builders, which will be coming up in the next section. But in this particular bill the minister said he had a choice between one-stop shopping on the one side and separation on the other and the government chose the middle ground.

As the critic for the New Democratic Party, I think this is a timely moment to suggest to the minister—it is a warning—that perhaps his decision is going to result in a step in the wrong direction, that it is in fact a movement towards one-stop shopping.

I know there are advocates for one-stop shopping out there and I know the arguments have been presented on both sides and I am not going to use today's debate to get into that whole situation, but I want to go very clearly on the record that the New Democratic Party stands very clearly and definitely committed to the separation of the three sectors within the whole bereavement industry. We believe that the cemetery, the funeral and the monument builders should be very clearly divided, and either the government does not know where it stands on the issue or it is moving consciously in a gradual way towards one-stop shopping.

My other concern is that the minister talks about regulation, that regulation will solve the problem. Unfortunately, I would much prefer, and New Democrats can go on record today as saying we certainly would prefer that the minister take a little more time and the government take a little more time, and instead of leaving up in the air those ends that have not been tied together and saying, "Well, we'll sort that out by regulation if problems arise," that the government could take just that little more time and listen to the concerns of the partners who make up the bereavement industry, go that little bit further and draft the legislation that will address those additional concerns.

We are conscious of the fact that decisions made by regulation will not have to be subjected to the scrutiny of accountability by committee or the scrutiny of accountability to the House. In

other words, decisions affecting this particular industry will be made to some extent arbitrarily.

That is too bad. While I have commended the minister and the government on the process that has taken place in the development of this particular legislation, it is just too bad that it could not be continued through to the end. Because what we have had is a reaching out, talking to the various key players, listening to their concerns, solving most of the problems—and congratulations for that—but there are a couple of tough decisions left to be made and the government says, "From now on it will be by regulation," while, really, it is those sensitive areas, those areas where adjustments have to be made, that need to be discussed and finalized in an open forum, whether that forum be in the committee or the House.

At this particular moment in time I am going to ask once again that the minister show the magnanimity of spirit, the generosity of character to stand up in this House and say, "Yes, the inspiration for this legislation and indeed a great deal of the substance of this legislation comes from the work done by Dr Swart, the former member for Welland-Thorold." I think that is the kind of collegiality that will make this House work with a great deal smoother process, where the government actually recognizes the positive contributions made by members of the opposition and where the opposition can recognize the good work that has been done by the government.

That is why I have no hesitation today in saying to the government that on this piece of legislation it has done a very good job. They could have done better but they have done a very good job, and if they listen to the advice I am giving them now, they will be able to round it off and we will be able to say, "Yes, we've got it and we've got it right."

What I will suggest is that this bill be sent to committee for short hearings, because I think the apprehensions I have expressed today will be reflected by the various groups that will be affected by this bill. They are not all going to be whistling the same tune, but I do believe it is much better that we have short hearings in which these players can express their views. Hopefully, the minister will then have the flexibility to be able to say: "Okay, we've got it 90 per cent right at this stage. Let's take the extra step." That would be a splendid way of proceeding.

Again, congratulations to the minister. The areas of concern of the New Democratic Party are on record. We look forward to this bill going to

hearings, and we hope suitable adjustments can be made so that the sensitive decisions that have yet to be decided will be decided in legislation and not by regulation. Regulation is not the solution to this problem.

1540

I would also add that trying to choose a middle ground between one-stop shopping and separation is really a movement away from separation and is really a step towards one-stop shopping, which is going to have very severe repercussions on the whole industry. How sad, with so much right, if the minister and the government let this legislation slip away towards one-stop shopping in the bereavement sector by failing to address this final area.

There are other sections we could talk about. I did begin by saying I would remain very brief today on the issue, but I hope we can send this bill to committee.

Mr Runciman: My comments will be brief, as there is an understanding among all three parties that the legislation will be going to a committee of the House. That will provide an opportunity much needed by a number of groups who still have some concerns with respect to the final version of this legislation.

Essentially, as an opposition party that at every turn attempts to be constructive, we are always looking forward to opportunities in which we can indeed support government legislation. Regrettably, those opportunities are few and far between with this government. This is certainly a piece of legislation we can indicate some degree of comfort with. I extend our compliments to the minister and his staff with respect to the consultative process that was undertaken in coming up with two bills, actually, on the bereavement sector. I know it was not an easy task getting the various groups together. It has been talked about for a number of years.

By and large, certainly from the feedback my office has been receiving, there is a large measure of support for the legislation, although with some rather modest concerns in some areas, especially, I think it is fair to say, with the monument builders. There are perhaps even more serious concerns from their perspective with respect to tied selling and the separation of the three elements in the bereavement sector.

I do not necessarily share the concerns of the member representing the official opposition who spoke prior to me and expressed his concerns about one-stop shopping. This is a personal view, not necessarily a party view. Looking at the best interests of the consumers—the minister

and ourselves as critics for that particular ministry—I am not certain that prohibition of one-stop shopping for ever and a day is necessarily in the best interests of consumers of this province.

This minister perhaps is limited in what he can do to ensure that there is a level playing field out there. If we look at elements like the tax-free status of cemeteries, for example—through his colleague the Minister of Revenue (Mr Grand-maitre); I am not sure that would fall within his jurisdiction but I suspect it would—those are areas that can be looked at in terms of achieving a level playing field so that perhaps in certain areas of this province, the more heavily populated areas, one-stop shopping facilities may be appropriate and may be in the best interests of the consumers.

I certainly do not want to write it off as a possible long-term alternative for the consumers of this province. I certainly would not wish to see the government rule it out for future consideration. Indeed, action could be taken in the very near future to make it feasible to consider that as an option.

Currently, I have to share the monument builders' concerns with respect to the current state of affairs whereby tax-free cemeteries are not being prohibited from getting into the monument business. Again, there are perhaps regional reasons, if you will, for cemeteries being in those kinds of businesses, simply because, if it is a small northern community, for example, it is not going to have the range of services available and it may be necessary. Anything the government may wish to consider in this area could recognize those regional needs and interests.

But I think the basic problem confronting the monument builders in this province in the more populated regions of Ontario should be addressed by this government on a short-term basis until, as I suggested, the government can take action to ensure that all elements of the bereavement sector are competing on a level playing field.

I do not think there is a great deal more I can offer at this stage. We are looking forward to the opportunity to discuss this in committee and provide those concerned groups with an opportunity to make a final pitch, if you will, to the members of the Legislature and the government with respect to some perhaps relatively modest amendments for the most part, but regarding the monument builders some rather significant amendments that would solve their particular problems and concerns; I think they merit the very serious attention of the government.

Mr J. M. Johnson: Just briefly, I have a few comments. First, I would like to correct the member for Cambridge (Mr Farnan). While he did pay tribute to the former member for Welland-Thorold, and I certainly support the proposition that he did a lot to bring about changes in this legislation, I would also submit that my colleague the member for Leeds-Grenville (Mr Runciman) also participated to a great extent in any changes that were brought about.

I have some concerns that have been expressed to me by many senior citizens' groups, clergymen, funeral directors and, as my friend the member for Leeds-Grenville mentioned, the Ontario Monument Builders Association. I understand Bill 30 and Bill 31 are going to committee and these concerns can be expressed at that time. I congratulate the minister for taking this position and hope that with input from interested people we will come up with some legislation that will be well accepted by the people in this province.

The Acting Speaker: Are there any further comments? Are there any further participants? Does the minister care to wrap up the debate with his reply?

Hon Mr Wrye: Yes, thank you. First, I am very pleased to have the support of my friends opposite for this legislation and look forward to our discussions in committee on this legislation and Bill 31, towards which we will be moving our discussions immediately following the completion of second reading of this legislation.

I am always pleased to acknowledge the contribution of my friend the former member for Welland-Thorold, Mr Swart, on this and so many other matters. He cared passionately about issues of consumer protection. I did not always agree with his solutions, but he always brought great passion and a certain pizzazz to his discussions.

I say to my friend the member for Cambridge, and I want him to pass this on to my friend Mr Swart, that I miss him greatly. He used to send my predecessors cartons of milk and loaves of bread and quite frankly, having to stock my apartment by myself is from time to time very difficult. I know in days gone by Dr Elgie in particular always enjoyed receiving those food-stuffs from Mr Swart, where he wished to point out some pricing differences.

I say to my friend the member for Cambridge that I am very pleased to have—my friend is an educator—a kind of B-plus so far and I really hope we can move it to an A in committee. I will work very hard towards that.

1550

I do acknowledge that in committee we are going to have a great deal of our discussion on the issue of separation of the sectors. I will leave some of the discussion on the monument dealers that both my friend the member for Wellington (Mr J. M. Johnson) and the critic for the Progressive Conservatives, the member for Leeds-Grenville, have raised quite properly as being issues that were among the most troubling of the variety of issues that we looked at.

If I may, I will leave some of the discussion on cemeteries to my opening statement, which I think will indicate some of the answers on that. But I would say this, and my friend the member for Leeds-Grenville touched upon it: Particularly in smaller communities, not just in the north but in his end of the province as well and indeed in parts of southwestern Ontario, there is some concern that a complete separation of the industries—and here we are talking not only about the separation of funeral homes and cemeteries but also adding to that and including monument dealers—might prove to be not in the best interests of consumers at all in those areas where the populations really in some ways demand some kind of combining of processes. There are parts of the province where those who are cemeterians are the only people who are involved in the sale of monuments and markers. There are other parts of the province where those who are the local, town and township funeral home operators are those who also provide the monuments and markers.

I have given a commitment in terms of the strengthening particularly of the funeral home and cemetery connection. Members will all know that monument dealers are involved in much more than doing monuments and markers simply in the bereavement sector; they prepare monuments and markers in a number of other areas which also affect their business. I would hope that the members would understand that some of the initiatives we will be taking in terms of the combinations of funeral homes and cemeteries, to clarify but also to strengthen our prohibition on direct, active combinations, will be sufficient in the circumstances.

I say to my friend the member for Cambridge, who raised this as an issue first of all, that I share his concerns over the longer term in the area of one-stop shopping. I think that it is a trend which we would, in terms of the protection of the consumers, regret over a period of time. I do not believe that the measures the government has chosen will lead us in that direction.

Finally, in terms of the concerns that the member for Cambridge raised on regulations, I can advise him that we are setting up an advisory committee of industry and consumer representatives, which will continue to work with us in terms of the implementation of the act and in terms of the wording and the implementation of the regulations.

I too share a concern, which I think we all have in the House, that regulations should not be used to replace statutes and legislation which come to this place for discussion and decision, where that is inappropriate. At the same time, regulations are often used to not bind the hands of the government where there is an appropriate measure of general legislative support given. I think the regulations which now exist in subsection 13(1) of the Cemeteries Act are appropriate to be found in regulations, but I look forward, as we go to committee, to alternative views which my friend may express.

I appreciate the passing grade in the first go-around and I hope that in the final examinations we will have in committee in the days to come, perhaps my grade might be improved ever so slightly.

Mr D. S. Cooke: What did he give you?

Hon Mr Wrye: He gave me a "Very good," which I consider a B-plus, I say to my friend the member for Windsor-Riverside (Mr D. S. Cooke), and I suggested that I hope we can move that to an A, but the member for Cambridge will make the decision.

Motion agreed to.

Bill ordered for standing committee on social development.

CEMETERIES ACT, 1989

Hon Mr Wrye moved second reading of Bill 31, An Act to revise the Cemeteries Act.

Hon Mr Wrye: I am very pleased to bring before the House for second reading this companion piece of legislation, which is very extensive. It is really not amendments to the Cemeteries Act, a piece of legislation which was badly outdated and in need of revision; it is a whole new Cemeteries Act. We attempted not to amend it but really brought forward a whole new piece of legislation.

Again, the changes, as in the previous legislation, are the result of extensive consultation between government and industry, consumer and seniors' groups which went on for some three years. We have seen over the longer term, since the original act was drafted, a significant

growth in pre-need purchasing and a trend towards commercial involvement, particularly the latter, with corporations replacing many of the traditional voluntary and community-operated cemeteries. None of us in this House needs look any further than our own community to see the truth of that statement.

The new Cemeteries Act addresses these modern realities through enhanced consumer protection and through strengthened regulatory control. Consumer protection will be improved with the appointment of a registrar and the introduction of a licensing system for cemetery owners, commercial sales people and individuals employed primarily as sales people. These measures will ensure that an effective monitoring and enforcement structure is in place, as is the case with the funeral services sector.

Among the many consumer protection provisions contained in this proposed legislation—and many of them are similar to the previous funeral establishments legislation—are a ban on telephone and door-to-door solicitation of all cemetery lots, services and supplies, prohibitions on the operational connection between funeral establishments and cemeteries and protection for pre-need trust funds.

This bill also requires reasonable information, including price lists, to be provided over the phone upon request in order that consumers can compare prices and services. Cemeteries will be required to provide itemized contracts which clearly set out the supplies and services purchased and the purchaser's cancellation rights under the act.

Again, pre-need contract cancellation provisions are similar to those that I described in the previous bill, 30 days for a cooling-off period but cancellation at any time with the loss of only the administrative fee.

Cemeteries will be required to repurchase the rights to lots at any time prior to need at the consumer's request because the lot is actually turned over to the consumer immediately on purchase. It is provided in a pre-need situation but the purchase is completed immediately.

In the past—and my friends, particularly the members of the third party, in their comments previously on the Funeral Directors and Establishments Act, spoke to this issue—a number of monument dealers have complained that some cemeteries do not compete fairly in selling monuments. I think that is a matter that concerns, and ought to concern, all of us. To ensure a fair and competitive marketplace—and this is written into the legislation—cemetery bylaws will not be

allowed to discourage consumers from purchasing a monument from a source other than the cemetery.

There has been some talk about property taxes. That is really an issue for the Minister of Revenue (Mr Grandmaître). Also in the longer term, in our judgement, as we reviewed the concerns of the monument dealers, it is less major than the issue of literally placing barriers in the way of monument dealers who may wish to sell to consumers and then have the consumers have the full right to come on to the cemetery site.

This proposed legislation significantly strengthens the existing trusting provisions on cemetery contracts. In the past, only 65 per cent of the pre-need money was required to be held in trust. Under the bill, 100 per cent of the funds paid under a pre-need contract must be held in trust and there will be more stringent financial reporting requirements to ensure the protection of the consumer's money.

1600

The long-term financial self-sufficiency of cemeteries will be assured by increasing the amounts deposited into the care and maintenance fund. As well, cemetery owners will be required to maintain inoperative sites if they own other sites which are generating revenue. Similarly, when a monument is installed, a deposit will be made into the care and maintenance fund to ensure the monument remains in a safe condition.

Development across the province continues to lead to the discovery of previously unknown burial sites. As the members will know, the current act makes no provision for the treatment of these sites. The process for dealing with such sites is now clearly defined in this new legislation, along with provisions for a resolution procedure for disputes. Further, all discoveries must be reported to the registrar, who in turn will have the authority to order an investigation to determine the origin of the site.

Also with respect to burial sites, this bill prohibits the disturbance of a site or artefacts associated with human remains, except on the instruction of the coroner or pursuant to a site disposition agreement.

Specific rights are also identified for agencies responsible for veterans' affairs, including the right to be notified and consulted on matters of veterans' graves.

This legislation significantly strengthens and improves the marketplace for consumers who are purchasing cemetery supplies and services. It is an act which responds to our modern Ontario and

to the changes that have occurred in this segment of the sector in the last few years, and I urge all members to give it their support in second reading.

Mr Farnan: Again, the New Democratic Party will be supporting the legislation and encouraging it to committee, as per our agreement. I do want to make a couple of comments on what the minister has said.

I did not wish to be casting a judgemental role on the minister, but he has taken my remarks that way and come to the conclusion that I have given him a very high grade on this. I do not want to undermine those positive comments, but to help the minister understand, I am going to give him a little analogy.

It might compare to a teacher with a very good student who has a very good mind, is enthusiastic about his work and works hard. Indeed, given an assignment, he goes through all the logical processes of completing the assignment. The teacher, on reflecting upon that assignment, might want to put his hand on the student's back and say, "Well done." The problem is that the student has made one mistake; and the teacher realizes that the mistake that the student has made is a very fundamental mistake. It is a mistake in a basic principle so fundamental that it puts in jeopardy a lot of the other things that have been concluded as a logical process.

The teacher is kind of divided in what he has to say to the student. He wants to say, "Well done," because he has worked hard, he has done all the right things, but indeed—Mr Speaker, if you will bear with me, I will come to the topic—

The Acting Speaker (Mr M. C. Ray): Are there any other comments or questions arising out of the introductory speech by the minister? No? Other participants.

Mr Farnan: I think I have made it very clear. The principle that I think the minister missed, and the principle that I think is absolutely fundamental, is this: Three-way separation means that cemeteries only be allowed to sell cemetery lots, that funeral directors only be allowed to sell funeral services and that monument builders only be allowed to sell monuments.

In his comments, the minister raised the issue that there are going to be parts of the province where this would be extremely difficult, if not impossible. I would remind the Minister of Consumer and Commercial Relations that when it comes to the Liquor Licence Board of Ontario, his ministry has developed flexibility, in which there are different kinds of licences depending on

what part of the province you are in; this is based basically on the population and the distances between services. They are very reasonable criteria.

I suggest to the minister that it is still possible to sit down with the parties. I know we do not want the Toronto solution for eastern Ontario or for northern Ontario. It would be absolutely crazy. But I put it to the minister that certainly in communities over a specific size which can sustain the three sectors of the particular industry it is possible to have criteria in the legislation which will clearly say that cemeteries, funeral services and monument builders will be provided separately. That is possible in areas of the province, given a specific population and specific distances. I think that is an eminently reasonable and eminently sound approach. A good student would grasp the soundness of that particular concept.

I do hope the minister is still open at this stage to looking at his package again. Good student that he is, once he has grasped the principle that separation is what is required and legislates some reasonable approach towards urban and rural areas that can provide separation in those areas which can sustain it by virtue of population, then I think he will be speaking a language that will address all the sectors.

I have a statement, which I am not going to read into the record in its entirety. It comes from the Ontario Monument Builders Association. I suspect that the minister may have received a similar document from that association. What I will contract to do is to send the minister a copy of this letter which outlines very clearly the concerns of the monument builders.

I suggest that at this particular stage the funeral directors should also be concerned about what is happening in terms of separation, because the way this legislation is set up, where there was a very broadly based alliance looking for some changes to take place within this bereavement industry, some sectors of that alliance have received within this legislation some legislation that will go a long way to meet their needs; although the seniors' and consumers' groups remain concerned about the integration process.

1610

Again, I want to go back and commend my predecessor in this particular critic's area. The member for Mississauga South (Mrs Marland) will well remember Mel Swart playing a particularly important role in this area. Mr Swart should be recognized by the minister in a manner that is perhaps more open and clear. We all know

of the extraordinarily colourful character in which Mr Swart carried out his role as critic.

I do not think that simply reference to that idea of bringing in bread or milk cartons or this, that or the other as a kind of a humorous reflection on the days of Mel Swart in this House is good enough in terms of this legislation. I think the minister could be a little bit more specific. All he has to say is what everybody knows: that Mel Swart championed much of this legislation and that the government recognizes that fact and has incorporated what Mr Swart worked for for many years.

Is it too much to ask this government to make that simple statement without trying to colour it with: "Well, yes, he was a funny guy. Yes, he brought in milk cartons and he did this or the other"? He may have been a colourful character, but let's be very clear about one thing: Mr Swart was the greatest champion that consumers have ever had in this province. Indeed, it behooves this government and minister to make that statement without trying to take away from the statement in its purity. Mel Swart deserves credit. I hope the minister in his statement will make that very clear.

Mr Runciman: I am not going to comment further in respect to this legislation. Essentially, we did cover our concerns dealing with Bill 30 and overlapping into this area as well. We are going to be supporting this legislation in second reading and look forward to the committee hearings.

Hon Mr Wrye: I will be very brief as well. I thank my critics for their comments and look forward to the discussions in committee.

I do want to deal with a couple of things my friend the member for Cambridge said. First, in terms of our good friend and former member Mel Swart, I did not mean to in any way diminish his contribution here. I always feel, though, that he certainly made a good contribution to consumers, but ultimately the government takes the decisions on legislation. Let me tell members that some of us over here believe that we on the government side are pretty good champions of the consumers and the people of Ontario as well. We are pleased to share that with Mel Swart, but "share" is the word we would want.

Finally, in terms of the separation, I am certainly prepared to go to committee and be persuaded otherwise. But it will not come as a great shock to my friend the member for Cambridge that in determining the government's actions in this matter, to clarify and strengthen the current prohibitions and again to remain

silent on monument dealers, a great deal of thought went into this matter. We took the views of a number of groups into consideration.

We look forward to hearing those views in committee, but I hope there will be some new reasons because very clearly, and I should put it on the record, in the earlier discussions, over a great period of time, starting well before my friend was a member of the Legislature and I was minister in this ministry, the government has heard the views of a number of parties, and ultimately, with the full knowledge of the consultative process that was undertaken, the government took the decisions it did.

But we will be quite prepared in committee to hear the views and to do some fine-tuning where that may be necessary, and certainly if one convinces us that a very fundamental change—what my friend points out to be one of the central principles of the legislation—is one which is called for, to make that change. I just would encourage people to come to the committee with some new views and I hope that they will.

Motion agreed to.

Bill ordered for standing committee on social development.

MUNICIPAL AMENDMENT ACT, 1989

Hon Mr Eakins moved second reading of Bill 201, An Act to amend the Municipal Act.

Hon Mr Eakins: This legislation permits counties to take on responsibility for solid waste management. Under this legislation, a county with a two-thirds vote of county council representing a majority of the member municipalities may assume all or any of the responsibility for solid waste management in the county.

At present, municipal solid waste management is the sole responsibility of lower-tier municipalities in the county system. Many local municipalities are finding modern waste management beyond their technical and financial means. This legislation resolves the problem by allowing local municipalities to combine their resources at the county level and deal with their waste management problems collectively.

The legislation is consistent with the recommendations of two recent committees which looked into county government, the Advisory Committee on County Government in Ontario and the consultation committee. I should point out that most of the counties that made representations on waste management have supported a county role. The Association of Municipalities of Ontario is also in favour of county waste management authority.

Other highlights of the legislation are that counties may exempt municipalities from the county solid waste management system, subject to a two-thirds vote of county council representing a majority of the local municipalities. Counties may enter into agreements on solid waste management.

I want to emphasize that this is a permissive legislation. It does not require counties to undertake solid waste management but allows those counties which have local support and are interested to get involved in providing solid waste management services.

My ministry has circulated the first reading of Bill 201 to all municipalities in Ontario. The purpose of this consultation was to ensure that the bill was as responsive to the needs of the municipalities as possible. Based on this consultation, I am proposing two amendments to the bill, to subsections 209a(10) and (25).

1620

Mrs Marland: In rising on behalf of the Progressive Conservative caucus to speak on Bill 201, I think it is fitting to recognize that there has been quite a large amount of consultation with the area county councils and municipalities on the larger subject encompassing the management of waste in this province, and I think it is important to recognize that currently counties do not have statutory authority to engage in waste management activities. The Municipal Act only provides that this authority is given to local municipalities.

With the recent crisis in waste management, municipalities and counties have found it more economical to undertake waste management activities on a regional basis. Several counties are now in the midst of participating in waste management master plan preparations. To some, the whole waste management master plan process seems pointless if county governments do not have the authority to implement the final plan.

Bill 201 was intended to give counties this authority. However, it is a poor attempt on the part of the Liberal government to do this. The bill itself is flawed and confusing at times, but in this case some consider that a flawed bill would be better than nothing.

The reason for giving counties waste management authority is that they usually cover an appropriately large geographical area and most have sufficient populations for effective waste management. Some local authorities, some local municipalities find it beyond their means to

establish a waste management system which meets present-day environmental requirements.

That does not mean they do not wish to meet those requirements; it is just a cost ratio of a small county versus the strength of a broadened funding base by bringing several counties together, the same reason we initiated regional government 15 years ago. Hopefully, when you do something regionally, there are cost savings to the taxpayers. Obviously a larger-scale system involving several local municipalities or the entire county would be more cost-efficient.

Both the Advisory Committee on County Government in Ontario and its Liberal sidekick, the Consultation Committee on County Government, recommended that counties be given responsibility for waste management services. In the first report of its municipal waste management series, the Association of Municipalities of Ontario also recognized the need to give counties waste management authority.

AMO suggests that the need for an amendment to county authority is urgent, since it is not clear that counties can even submit a waste management master plan for environmental assessment approval without authority for waste management. AMO further explains that while it is not necessary to obtain Environmental Assessment Act approval for recycling programs, counties have no authority to enter into agreements for capital spending to implement such programs.

AMO supports Bill 201 in principle, but the association feels there is still a need for more authority for counties to engage in the activities associated with the four-R program, namely, reuse, reduction, recovery and recycling. Obviously the four-R program is something that I, as the Environment critic for our Progressive Conservative caucus, am personally very committed to on behalf of our caucus.

Although the county authority is needed, AMO thinks Bill 201 is only a first step and there is still a need for a substantial overhaul of municipal legislation to deal with waste management.

The bill was also intended to give counties exclusive jurisdiction over the activities of the private sector in the area of waste management, but AMO does not feel this intention was made clear in the bill. The government has given notice that it will be introducing an amendment to the bill to clarify this point. The amendment proposed by the government rewords the relevant section of the bill to grant counties assuming a waste management function authority over the operation of all waste management services,

whether run by private operators or by municipalities.

It appears the government also recognized that it has failed to include authority to engage in the four R activities in Bill 201 and this is its way of slipping it into the bill unnoticed. It would be preferable to have this authority made more explicit, especially in light of the fact that local municipalities do not even have this authority now.

I think the fact that it is new has to be emphasized. I will be moving an amendment to address this area when we move into committee of the whole. I understand the government has a second amendment which is just housekeeping; it is more housekeeping than substantive.

In general, there is a consensus among municipalities and counties for a need to give counties waste management authority. However, there is concern for the smaller municipalities that may not wish to participate in a county-level waste management service. The bill does not provide an opting-out clause, only an exemption clause. Thus, if a municipality requests an exemption, it could be voted down by the rest of the county council.

Some counties have also expressed concern about the transfer of liability included in Bill 201. The bill transfers all rights and obligations and all assets and liabilities of a participating local municipality to the county taking over the waste management authority. Depending on the interpretation, this could mean that all counties will have to assume liability for any environmental problems of old and existing landfills.

The county of Lanark recently requested and was given permissive legislation to assume waste management activities from the local municipality. I refer to An Act respecting the County of Lanark, Bill Pr78. Bill Pr78 was passed on 2 March 1989 and gave Lanark county wide-ranging authority over the collection, disposal and removal of solid waste and the authority to establish four-R programs. If this government had paid more attention to Bill Pr78 and used this example to draft Bill 201, municipalities would be more comfortable with the legislation contained in Bill 201.

I think it goes without saying that if there is going to be any management of waste in this province, it must include the program known as four R. We cannot begin to get a handle on managing our tremendous problem and challenge of waste in this province until we get into a psyche for all of us and action by all of us to reduce our volumes of garbage, to recover what

we can, to recycle what is possible and, obviously, to reuse as much as we can. Therefore, four R in waste management has to be a tight, integral part of any waste management of any community, county, municipality or regional government in Ontario today.

I will look forward to moving my amendments to include the four-R program in Bill 201. Since this Liberal government has already demonstrated its support for the Progressive Conservative government's initiatives in recycling by its ongoing support of blue box recycling programs around this province, I am completely confident that the government will support my amendments when we move into committee of the whole.

1630

Mr Breagh: We will support the bill, but I do think it is important that we get on the record this afternoon that there are some things, I am sure the government knows, which are not brought forward in a very proactive way in this bill.

One of the problems that many of us who have spent a little time in municipal politics are aware of is that it sometimes is difficult to get a common set of standards or a common approach among municipalities. That, of course, has good and bad to it; the good being that there is an opportunity to do things in different ways, to experiment, to try to see if you can figure out a slightly better way of doing things than your adjacent municipalities.

It poses a bit of a problem, though, in the sense that you do not always have things done to the same standard. One of the concerns I have about this bill and this particular approach to it is that it takes the old-fashioned idea that by legislating, as is proposed in this bill, the responsibility to one level of government, the problem is then resolved. I do not really believe that is true, and I want to make that argument in some detail.

We should look at what would be Toronto's greatest single problem. At this point there are a lot of them out there, but one of the most urgent ones is garbage. When one seeks a solution to that problem, one looks to what is now becoming part of Ontario's political process. It has never been done in law and it has no status in law, but there is now a thing developing called the greater Toronto area. Much like what is proposed in this bill, the same theory is at work, that on a county basis, because they will now be responsible for waste management, they will be able to resolve the problems.

I think that is a start, but I want to encourage the government to recognize as much as it can the scope of the problem, because there is the old

notion that you can simply put garbage in trucks and take it out somewhere and dump it, and most of us who follow that particular problem will now say that creates more problems than it resolves.

One of the things that bothers me a bit is that in the area of waste management there seems to be some uncertainty about who should do this. The critical issue is simply this: There are some who advocate, and I would be one of them, that 20 years from now what is now a big problem, the management of waste in all forms, will be seen to be a big profit. The private sector is beginning now to line up in a tentative way with its proposals on how it can make money. In a classic sense it is the old Canadian political argument: If there is money to be made, governments should get out of it and let the private sector take over, and if it is going to run at a loss then government should do it.

I do not subscribe to that theory, quite frankly. I believe the problem is substantial. I think it is all over Ontario. I do not think this bill does very much towards resolving that problem. For example, in the areas of Ontario not covered by any form of municipal government, and there are a lot of them, this bill does not address that at all.

I think the bill makes it possible for different counties to enter into agreements on how to share their responsibility and share their resources to handle the waste problem. But I would point out, for example, that my region of Durham has entered into agreements with adjacent regions to handle it, and one of the end results of that was notices going out to home owners in the south end of Oshawa which said that if there was a strike among the people who collect garbage in Toronto, "We ain't going to collect your garbage in Oshawa either, simply because we've got no place to put it." The dump site that would be used as the repository at least on a temporary basis for the garbage from the city of Oshawa is operated by municipal employees in another municipality altogether.

One can see the weird phenomenon I do on most mornings now. I suppose the prevailing theme would be that if you live in Toronto you are shipping your garbage out to Durham, but ride Highway 401 and you see the garbage trucks from Oshawa bringing that stuff in the general direction of Toronto. This is what is happening each morning. The garbage trucks are on the road to prove it.

I would put the simple argument that this is a massive problem and, to be honest about it, it is one which governments at all levels are now fighting back with themes, symbols and jingles,

which is great, bless their souls. Everybody knows the four Rs: reduction, reuse, recycling and recovery. Everybody knows the wonderfulness of the blue boxes.

What people have not established for my peace of mind here is: What do we do when we get the stuff out of the blue boxes? I have one in my driveway today and it is full of tin and glass and paper. I think that is a magnificent first step in terms of establishing a need to recycle all of these and we have made people very aware of the need to do that, all of which is great; but I also know we are having difficulty with the recycling process in our community. We are having a little difficulty in terms of organizing how that is done, but we have a bigger problem at the other end of it, too.

It is fine to argue that we should recycle, and we certainly should; that we should all have little blue boxes in our driveways, and we certainly should; but there is another question that has to be answered. What do we do with it? Where does it go? Who buys it? Is there a market for it? Those questions do have to be answered.

I wish I could say with some certainty that we have folks thinking about that. I think we do, but I do not know for sure. I wish I could say with some certainty that this government or any other government was working diligently to co-ordinate all of this collection of waste and managing it as a resource, but that would be foolhardy. That is not happening.

In other parts of the world, it is happening. In other parts of the world, one can point to garbage at the curb and the end result is a product somewhere else that is useful to that society, but it is not happening very much here. In Ontario and in Canada and I think in the United States as well we have the awareness level up, which has to be done, but we should not think that having found a new slogan is a solution to this problem, because it is not.

I am happy that in the area where I live, for example, all of our municipalities are now into the blue box recycling program. I am ecstatic over the notion that people in my community who do not want to think about recycling, who do not have time in their lives to think about waste management at all, are at least thinking about it to that extent. That is great.

The next logical step, I suppose, could be this bill, that is, to extrapolate that responsibility to counties around Ontario, but it is not going to do much good unless those counties have some support systems, some ways of trading informa-

tion, some ways of gathering up new technology and making it work.

I hope that, as the minister proposes in this bill, the ministry itself will begin now to address those greater problems. Is it opening the door for the private sector to go in and take over waste management? If it is, it had better do so with great caution, because I am not convinced that the people who brought about many of our really substantive problems in handling waste are about to go in there and do a much better job in terms of waste management. I understand the argument that if they can make a buck, that is okay, but there is a greater problem here that has to be dealt with, and it is not happening.

As some friends I talked to at the Association of Municipalities of Ontario said, the bill is a first step, but it is no more than that and it may create some difficulties. If there is an information flow going along with the development of this legislative change, then that is part of it; if there is an exchange of technology, that is another part of it; but if it is solely restricted to the provision of jingles for people to sing or slogans for people to remember, it really has not done very much.

There are some larger problems that I think do have to be addressed. On first reading of the bill, it looks like the bill at least knows they are there, and that is a good sign. But there are certain types of waste that nobody knows how to manage yet, and that is a severe problem for each of the counties that will now be responsible for this.

They should also know that for certain types of waste, Ontario has no repository that is safe by anybody's standards. We are thinking about constructing an industrial waste management facility of our own, but we have been thinking about it for more than a decade and it will probably be another decade before it is built. Then we have to figure out how we get all of that particular kind of waste from whatever county you are in to the site where that plant is built, and that is a major problem.

The other thing we have to think about is: What do we do with that kind of waste for the next 20 years?

1640

In my community there was another polychlorinated biphenyl scare recently. People have kind of learned the three letters PCB and know it is bad; they are not quite sure why, but they understand that. They would be even more frightened, I am sure, if they understood that getting a licence from the Ministry of the Environment to store PCBs does not mean a whole lot. What it means is that you have to put

some cement underneath it and supposedly put it in a safe container; but if you do that, you will probably get a licence.

I was amazed to find out that one of the things that happens pretty regularly is that if there is a PCB spill, if the stuff falls off a truck on to the roadside—one of the things that happens pretty regularly—nobody does anything about it, except that you go to the Ministry of the Environment and get a temporary licence to store it, and where it fell on the ground becomes a licensed temporary storage site. That is not much of a solution.

It is difficult. I know my community is no different than others. PCBs are all over the place: They are in the city hall, they are down at the public utilities commission, they are up on telephone poles and telegraph poles all throughout my community. We have old plants where there is stuff stored and nobody in this world knows what is stored in them, let alone what is in the soil around them.

We are looking at the tip of an iceberg here. There is a very huge problem that has to be dealt with. It is going to take us a long while to do it, and designating a particular county to be responsible for that really is not much in the way of a solution. In a sense, it is an extension of the awareness program that local government will now clearly be seen to have a responsible role to play in the development of a waste management system in its own community. That is good, because they should get used to the idea that you cannot ship this somewhere else.

Similarly, I would say that the southern part of this province is unreal if it thinks it can somehow solve its garbage problem by shipping the stuff to northern Ontario, eastern Ontario, southwestern Ontario or anywhere else, because in my view that is simply an extension of the old-fashioned idea that you put garbage on a truck and dump it somewhere, get rid of it, and that is what we cannot do.

What some would consider to be one of our greatest resources—that lake that is just to the south of this building—is also one of our greatest problems, because of what is in it. If the members look to the communities in and around Metropolitan Toronto, where the traditional dump sites have been developed, they ought to talk to some of the people in Whitevale, Stouffville and places like that, where garbage dumps are being proposed now. They will get a lesson in linguistics they have not had in a while. They do not want them, and they have a long list of very valid and dramatic reasons why Metro

should not dump its garbage anywhere near them.

If you drive along Highway 401 between Oshawa and Bowmanville, you will see something amazing. I do not know who did this, but somebody has put up a series of billboards which read something like this: "It's big, it's new, it stinks, it's Metro garbage. Don't dump it here."

So there is an awareness of what a dump site is that perhaps was not there a little while ago. There is an awareness that that technology, if you want to use that phrase to describe this, is not appropriate any more, if it ever was; that a dump site creates more problems than it resolves; that in the long run, all of us have to start to think about things like packaging. Do we need to have something we buy wrapped six times? Would it not be just as good if we bought it and it was only wrapped once? Do we need to dispose of so many things all over the place? Do we even know what we are disposing of?

Here is a thing it would be interesting to try on a county council that is just getting the responsibility for this now. What are they going to say to the people who live in that county who want to dump paint thinner? Where are they going to dump it? Because in my community of Oshawa, which I like to think of as a sophisticated place, when I ask the question, "Where do we dump this stuff?" the answer is: "Nowhere. Not in your backyard; that's wrong. Don't put it in your garbage; that's wrong. Don't take it to the garbage dump site; that's wrong."

In the last couple of years we have advanced substantively, because you can now take it to certain designated sites and they will do something with it once in a while. To say to residents in any community, "Save up a certain type of waste; know what it is, save it and once or twice a year take it to a designated site and someone will dispose of it there," I am not sure is a very practical way to do things.

The bill itself certainly does not do any harm to anybody. All it does is identify a level of government that is now going to be responsible for waste management. That should have been done eons ago; no one denies that. But we should not pretend either that it is much in the way of a solution, because for about half of the geographic part of Ontario there is no form of organized municipal government at all. This bill simply will not apply there.

In terms of actually addressing the problem, the bill does not do that either. In terms of providing a support system of information, technology and the development of new ideas,

the bill does not do that either. I am concerned a little that the bill simply says that somebody is responsible for it now. That should be done and it needs to be done, but there is also a great deal more that ought to be done along with it. I do not see that happening.

There are a number of people who work at AMO who are vitally aware of how controversial and how difficult this subject really is. They really would probably rather not have to deal with it, but I think they recognize as well as anyone can that local government, county government, has a responsibility to do that.

I would like to see this bill go forward. I am happy to support the two amendments that were brought forward by the minister. I think it was the day before yesterday at 11 o'clock in the morning when we got them. It would be really nifty if ministers could tell us what they want to do with these bills a little sooner than that, but that is another matter altogether.

I would be very happy if this bill were in tandem with a new program by the Ministry of the Environment to develop all of this. I would be happy if we could say to the people who will now be legally responsible for waste management in any of our municipalities that within this decade we will know how to handle waste, because we do not now, and that within this decade we will reduce the amount of waste that is generated by people in our community. I do not think we can do that with any sincerity at all.

The other thing that really has to be said, although the public probably does not want to hear this either, is that the waste generated in any community does not come from some invisible source. It comes from people in their homes and where they work and in their community in general. So we do have to do all the awareness stuff that is so popular these days. That is important, but it should not be seen as a solution, because it is not. It is part of an ongoing educational process. It is important to develop an awareness among people in general that waste management is a problem that all of us have to address.

All of our governments at all levels have to see their responsibility clearly and develop the technology to deal with it, because we are really talking about changing the way a society functions. That is going to be difficult for us in North America. It is going to be difficult to try to adjust to the notion that there is not just endless space where this stuff can be dumped and that there is a need to be a little more sophisticated about that.

It is interesting to note that among the countries in the world which have been successful in waste management programs—probably it simply proves the old adage that if you have to solve a problem, you can and you will—in those countries where they simply do not have the space we have in North America, they have been pushed into solving waste management problems earlier than we have, for survival.

It is interesting to note, too, that in many of the communities in Europe, for example, waste management systems have been put together on how to handle different kinds of waste. Most of our people would say the same thing: They do not want that stuff in their backyard, either. That is certainly an understandable notion in their minds. But when it is established and when it is part of an ongoing process in a society, people accept that. Perhaps they do not understand all the technology involved, but they understand the basics of it, that this must be done.

I encourage the government to take this tiny step it is proposing in this bill today. I think it needs to be done, but there is a world of work that must proceed and it must proceed starting now. I urge the government to take not only this step, but all of those other ones that are going to be difficult, expensive and not popular. If it is not done, then the world as we know it is going to encounter some very severe problems.

1650

No matter how sophisticated people think they are in a modern society such as here in Toronto, there is nothing that will test their sophistication more than the fact that they do not collect the garbage once a week and it piles up in a park in the middle of the neighbourhood on a hot summer day. When that stench starts to settle into the neighbourhood, they will have some realization of what kind of problem they have to deal with.

I would hope that all members and all people in Ontario who have some awareness of the ecology around them and of the world in which they live would start to think about the need to do things and would concern themselves with waste management in their lives. Then maybe governments can kind of get in tune with them for a change and take some of their responsibilities a little more seriously.

The bill and the amendments that have been proposed are useful and are things that should have been done probably 40 years ago, to tell the truth. But for someone who is only 40 years behind the times and in government these days, he or she probably is not in bad shape.

Mr J. M. Johnson: I might just start by suggesting to the member for Oshawa that while Bill 201 seems to be a small step, for me it is a very important step, because I have a real problem with it. I represent the county of Wellington which is, by riding, 21 municipalities. They now have a waste management study committee under way that has selected two sites. The two sites are in two of the smaller townships. Nineteen municipalities will have the right to vote. The two municipalities will be the recipients of that selection process. Now maybe that is being a little hard and fast with the legislation, but it is reality.

It is my understanding that under the present legislation, a county council by unanimous consent can take over control of waste management. Under Bill 201, the government has changed that to read that a two-thirds vote of county council will do the same thing. This legislation will come into effect on the day it receives royal assent. What then happens to the county of Wellington? Do those two municipalities still have any options or are they caught with the new legislation?

I pose those questions so the minister can possibly answer some of them in a little while. The concern is that I have to represent 21 municipalities. I cannot represent one, two or nineteen, and I have a great deal of difficulty with that decision.

I sent out a copy of Bill 201 to all my municipal councils and advised them that it would have tremendous impact on the way they have managed waste in the past. I am not sure if the minister is aware of it, but there seems to be some confusion in his ministry. A memo went out from the Ministry of Housing from the deputy minister. It is addressed to "All Municipal Clerks," dated 17 March and reads in part, "As you are probably aware, Bill 201, An Act to amend the Municipal Act, which received first reading on January 12, 1989 died on the order paper when the House rose on March 2, 1989."

It goes on to say: "This ministry is planning to introduce another bill on county-waste management in the Legislature as soon as possible. My minister, the Honourable John Eakins, had asked me to send a copy of first reading of Bill 201 for your Council's review." It is signed by the deputy minister, but I am not sure which deputy minister. It is on the stationery of the office of the deputy minister, Ministry of Housing. It refers to "my minister, the Honourable John Eakins." Surely the minister has enough stationery that he

does not have to borrow from the Ministry of Housing.

The concern I have is that we were notified by one of our municipal councils that the legislation I had sent out, Bill 201, was indeed dead and that it was not that interested in it now. But we suggested that it was not dead and that it would be brought back in, which it has been.

We phoned ministry staff and asked them if they did not feel it was in the best interests to correct this memo that was incorrect. They said it was not really of much interest, that the clerks should know, that they would have no problem because they all read Hansard, something of that nature. If it is worth sending it out in the first instance, it is certainly worth sending out a correction notice.

I find it is most discouraging that ministry staff would take this—I was going to say initiative, but it is the opposite, not take any initiative in this instance. I raise it as a complaint and I wish the minister would investigate. Many of the municipalities will be quite surprised to know that this debate is taking place today. After second reading and third reading—it will pass—they will be notified that there is no input needed, because the bill was not dead.

There are a couple of questions I would like to ask the minister concerning the bill. On the day the bill receives royal assent, the county council assumes control of waste management. If that occurs, then what—in Wellington county there are four municipalities in the northern section that have a joint waste disposal site. There are another four in the west section. Do those sites come under the control of the county or is there any permissive legislation that will allow those municipalities to continue to operate their sites? That is one question.

The liability of the existing sites: When the county takes over the operation of the sites, does it then also take over all the liability related to the existing sites and the sites that supposedly have been closed? Do they expend the money that is necessary to close the sites or are those municipal councils responsible for those sites?

I think those are some of the key points my county council would be concerned about. I really am not sure whether the county council will support it, but it is my understanding that it is permissive legislation, so it will have to make that determination itself. But I did feel I had an obligation to speak on behalf of some of the small municipalities, some of the townships that will end up being the recipients of some of these waste disposal facilities.

Hon Mr Eakins: I want to thank the honourable members for the comments they have made. I want to say that when the bill was put together we circulated it to all the municipalities across the province for comment. I might say that many, many of our counties have supported Bill 201. They have written in to say they are fully supportive and would like to see it passed and under way just as quickly as possible.

Some comments were made here by the member for Wellington (Mr J. M. Johnson) about the fact that it was assumed Bill 201 had died, which is natural when the House rises. However, there was an all-party agreement that this bill would be carried over. It was a decision by all parties and therefore we were able to keep the bill in its present form. I think that relates to the comments he has made. The other comments he made, in regard to the ministry, I will certainly take back and refer to the ministry.

1700

I want to say that it is important the county be given this responsibility because the concern today with waste management is very great indeed. I think the member for Oshawa (Mr Breough) has spoken very well from his municipal experience and also from where he lives within the province.

He knows the pressures are not only in the greater Metropolitan Toronto area, and they are very great. But also, the influence of the greater Metro area is influencing the work of many of our counties for quite some distance. Therefore, it is time the counties were given the option of this responsibility, and that is what we are doing here today.

I appreciate the comments that have been made and I am sure that when the bill is passed, many of the counties that are now waiting will be able to take up that option and proceed with it.

Motion agreed to.

Bill ordered for committee of the whole House.

House in committee of the whole.

MUNICIPAL AMENDMENT ACT, 1989

Consideration of Bill 201, An Act to amend the Municipal Act.

The Deputy Chairman: First, could members indicate which sections of the bill they wish to bring forward amendments to or make any comments or ask any questions about?

Mr Breough: Just to help out, the minister should be reminded that he has two amendments

to section 1, which he would probably want to place.

Hon Mr Eakins: The sections of the bill are subsection 209a(10) and subsection 209a(25).

The Deputy Chairman: Could you repeat that, please?

Mr Breough: I think what he means is that he has two amendments to section 1 of the bill.

Hon Mr Eakins: I have two amendments to section 1 of the bill.

Mr Breough: The member for Mississauga South (Mrs Marland) has two possible amendments, one which is labelled "complex" and one which I take it should be labelled "stupid" or "simple."

Mrs Marland: With such wonderful assistance from my colleague to my right—

Mr Breough: To your left, and don't you forget it. There is nobody in here to your right, Margaret, come on.

Mrs Marland: It is certainly true that I do have one set of amendments labelled "complex." I certainly do not have the simpler one labelled anything but "simpler." I think the clerk has copies of my amendments. The numbering may not be completely in the order the clerk wishes to have them, so I take guidance from the chair as to the actual numbering of those two amendments.

The Deputy Chairman: Thank you. If there are no other members, we will go first to the first amendment from the member for Mississauga South.

Section 1:

The Deputy Chairman: Mrs Marland moves that the bill be amended by adding thereto the following subsection:

"209a(2a) The council of a county may establish and operate programs for the reduction, recovery, recycling, reuse and composting of waste and resource recovery and may enter into agreements with one or more subscribing municipalities to provide for the joint management and operation of the programs upon such terms, including the payment of compensation, as may be agreed upon."

Mrs Marland: I think it is very clear that under the existing wording of the Municipal Act, as it pertains to the authority municipalities have under the Municipal Act, they do have the authority to pass bylaws to deal with any area within their jurisdiction. The bill we are dealing with this afternoon is passing that same authority on to county councils. In fact, where the Municipal Act deals with the subject of garbage—

waste management is the posh word—I will read from the existing Municipal Act.

It says under paragraph 210(83) that the municipality may pass bylaws, “For establishing and maintaining a system for the collection, removal and disposal of garbage or of garbage or other refuse or of ashes, garbage and other refuse, and for contracting with any person for the collection, removal and disposal by him of ashes, garbage and other refuse upon such terms and conditions...” I will not read the rest of the paragraph.

The point of the matter is that in this existing statute there is no authority for the kinds of programs that are needed to manage waste in the province today. The fact is that there is no authority to directly deal with establishing programs that cover the four Rs, of which I have already spoken earlier this afternoon: reduction, recovery, recycling and reuse. It seems this is an obvious amendment that I am quite sure the minister, under good advice, would want to support because his Minister of the Environment (Mr Bradley) has already committed and spent thousands of dollars in the province supporting, for example, recycling programs, which is one part of my amendment.

I think it would be completely regressive for the minister not to use the opportunity that is before him today, in transferring the authority for waste management from municipalities to county councils, to cover the opportunity those four kinds of programs would give those county councils.

I take note that we do have an amendment coming from the government that talks about—its amendment is to subsection 209a(10), and it is rather interesting that in its wording, where it is talking about the transfer of jurisdiction, it has slid in the words “reduction, reuse, recovery or recycling of waste.” However, unless it is specifically addressed as a policy and as granting authority to that county council, the authority does not just pass from the municipalities to the county councils.

Therefore, I think, recognizing the tremendous need for that kind of program and recognizing—I know the entire Municipal Act is not before us this afternoon. I recognize that the section of the Municipal Act before us in Bill 201 is simply the transferring of authority to county councils. That is very clear.

But why would we not use the opportunity to include in the transfer of that authority the opportunity for those county councils that will now be planning for their own waste manage-

ment to plan in the whole sphere and the whole scope of incorporating the four Rs? Why wait? It is such a basic commonsense approach that I have no understanding of why the Liberal government would not just pick up this ball and run with it.

1710

Mr Breaugh: We think this is just a nifty amendment and we will support it.

Hon Mr Eakins: While I cannot accept the amendment of the honourable member, I want to say I certainly do respect the ideas she has advanced here. But these go beyond the terms of the bill, which is intended simply to transfer the powers of local municipalities to the counties.

The four-R powers should be addressed in amendments to the existing sections of the Municipal Act, so that the local municipalities as well as the counties get these powers. The ministry is presently reviewing the waste management powers in the Municipal Act, including the four-R powers my friend has suggested, so I think this is being taken care of.

Mrs Marland: I must respond. For the minister to say he cannot accept it because it goes beyond the scope of what is before us in this bill is a very illogical statement. What is before us in this bill is transferring the authority for waste management to the county councils from the municipalities. If we are suggesting that the four Rs are not part of waste management, then we are in deep trouble, really deep trouble.

I do not think that is what the minister is saying. I think the minister is saying that he agrees with the four Rs. He is saying, however, that they will come at another time because at another time we will have a review of that section of the Municipal Act.

I am simply saying that in the light of day we never know with the Liberal government when the other time is coming and if it is 12 months from now. In the meantime, we have allowed these county councils to go off down this road doing their planning for waste management without any authority for reuse, recovery, recycle and reduction. The truth of the matter is—

Mr Faubert: Oh yes, they have it. They don't need authority.

Mrs Marland: It is unfortunate that the member who is now interjecting, who is not even in his seat, obviously is not familiar enough with the Municipal Act himself or else he would not be sitting there saying they currently have the authority, that authority which they do not have. That is the reason this amendment is necessary.

I think the member for St Catharines, the Minister of the Environment, will be gravely concerned to know that some other section of his illustrious cabinet is not supporting an initiative that is simply common sense in terms of waste management today.

That authority should be given to those county councils instead of putting them out literally to pasture for whatever amount of time it is going to take before the actual review of that section of the Municipal Act comes back: "Okay. Whoopee. We've opened it up now. We're into the cookie jar. Let's look at the four Rs today. It's a year later."

In the meantime, they are trying to plan how to deal with their garbage. They are trying to integrate waste management plans on a regional county basis and they do not have the authority. If the minister is saying they have the authority now, I would like him to show me where in the Municipal Act, of which I have a copy in front of me, they have that authority today. I simply need that answer. If he can show it to me in the Municipal Act today, fine, I will accept it. I will even withdraw my amendment.

The Deputy Chairman: Is it the pleasure of the committee that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

The Deputy Chairman: Mrs Marland moves that subsection 209a(2) of the act, as set out in section 1 of the bill, be amended by inserting after "purposes" in the fourth and fifth lines "and may establish and operate programs for the reduction, recovery, recycling, reuse and composting of waste and resource recovery."

Mrs Marland: Perhaps with the simpler wording it will be easier for the Liberal government to understand.

Mr Breaugh: There are no pictures.

Mrs Marland: I obviously live as an eternal optimist. I am sorry that I do not have pictures to illustrate what it is and why it is important.

Hon Mr Wrye: If this is the same motion, it's out of order.

Mrs Marland: In Bill 201, for the benefit of the member for Windsor-Sandwich (Mr Wrye), who is so interested in this bill—I think it is wonderful that he is here and taking part, even in a seated position. I think it is important for him to know what Bill 201 is actually saying and why it is important to have this amendment, because I

am quite sure that the residents of Windsor-Sandwich are interested in the four Rs, as are the surrounding county councils, no doubt.

It actually says in this subsection: "(2) The council of a county may pass a bylaw to empower it to adopt a waste management plan or to assume any or all of the waste management powers, or both, for all the local municipalities forming part of the county for municipal purposes."

I think in this section are the words I would like the minister to think about. I would like him to read them and hear them. The fact is that this bill of his today, Bill 201, is passing to the county councils the power to adopt a waste management plan, and in 1989 there simply is not a waste management plan that is in the 20th century that would not include the four Rs.

What I am telling him is that if he thinks it is okay to pass Bill 201 today and give councils the power to plan to manage their waste and yet not include "reuse, recycle, reduction and recovery," then that is like giving them the carriage without the horses. How can he think he is doing something that is in the interests of future waste management in this province and not include giving them the power for the four Rs?

It simply is not good enough that the minister is saying that section of the Municipal Act is under review. That section of the Municipal Act will come back goodness knows when, and if it comes back more than a year from now, these county councils that are going to be covered by Bill 201 today will already be making their waste management plans.

So, with respect, I would beg the government to support this amendment in the initiative of its own Minister of the Environment, who happens to have demonstrated quite well that he supports recycling. We do not yet have any programs for reuse, recovery or reduction of waste in this province. We can hope for that kind of leadership to come eventually from the Liberal Minister of the Environment, but at this point in time we do not have programs in that area.

1720

We certainly need them and this is the opportunity to give that kind of direction, leadership, and most important of all, authority to these county councils in order that they can do it. They simply do not have the authority today. No matter what the Minister of Municipal Affairs (Mr Eakins) is being advised by his staff, the fact of the matter is that the councils do not have the authority. Perhaps if he is still advised that they do under the existing Municipal Act, I would very much appreciate in his response to me if he

would show me which section of the Municipal Act gives them that authority today without my amendment.

Mr Breaugh: This is basically the member's first motion sideways. It has been reduced, recovered, recycled, reused and composted. We are in favour of all those things, so we support this amendment too.

Hon Mr Eakins: Paragraph 83 of the Municipal Act states: "For establishing and maintaining a system for the collection, removal and disposal of garbage or of garbage and other refuse or of ashes," etc. I believe that that is covered very well in paragraph 83. The honourable member has simply presented a similar amendment to the previous one and, therefore, on the same basis I could not support it.

Mrs Marland: It is impossible to believe that the minister can stand up and re-read the exact same section of the Municipal Act that I read as an argument in favour of my amendment. The very paragraph that he has just read, paragraph 83, if the members read it and understand it, is the very reason that there is a necessity for my amendment.

Paragraph 83 deals with handling garbage. It deals with collection, removal and disposal of garbage and other refuse, ashes, etc. I am not going to read it a third time. But it does not talk about reduction, recycling, recovery or reuse—

Mr Carrothers: That is part of collection.

Mrs Marland: No, it is not, and if the member thinks it is, then—I guess I had better not say what I am thinking. But the point of the matter is that in this statute there is no authority for either municipalities or county councils to take part in and plan for a four-R waste management program in this province.

If the minister wants to lead his Liberal government down that path of waste management without providing for plans for the four Rs, then so be it. It will be on his shoulders; it certainly will not be on the shoulders of the Progressive Conservative Party, because we have said here today, loudly and clearly, why this amendment is necessary.

What a waste of time to say, "We can't do it because we have to wait for the other review." This is an opportunity today, and it is really disgusting that the opportunity is not being used. Is the game the fact that the minister did not think of it? Is the problem that it is not his amendment? Is that what we are dealing with here? Because if that is what we are dealing with, I would ask the

minister to please take my amendment and place it in his words or have it as his own.

My issue here is to deal with the future of managing waste in this province. Quite frankly, what we have is a complete void. We are missing an opportunity. It really is irresponsible that the government is not taking this opportunity. All they are doing is saying, "Okay, county councils out there, you now have the same authority to plan for waste management for your community on behalf of your residents, whoever they are, as the municipalities." Well, whoopee, that authority does not include the four Rs.

The government is saying to them: "Go ahead. Off you go. See what you can do with it. But we're not going to give you the authority you need. Maybe in 12 months' time or two years' time, whenever we finish our review, we'll reopen the Municipal Act at that time and say to you, 'Okay, when you do your master plans for waste management, now you can plan with the four Rs.'"

The truth of the matter is that when you are looking at waste management master plans, you are not just talking any more about planning for where a landfill site will go; you are looking at where perhaps incinerators will have to go when they become safe as far as the emissions standards are concerned. But more than that, you are looking at trying to break down the cost of garbage for the taxpayers in this province. The way you reduce the cost of waste management in this province is to reduce the amount of waste.

It is not a very difficult formula; it is a very simple formula. If you reduce the amount of waste through recovery, reuse and recycling, then you also reduce the cost not only to the local taxpayers but to the province as a whole, if possible, and more important, to the environment, because the more we can reduce and recover, reuse and recycle, the less intrusion we have into the environment by the garbage and waste that we as people generate.

It is a sad day in this Legislature if the minister is going to miss that opportunity on behalf of the people of Ontario to say to them, "Here's the flag, this is the parade and this is where we want you to be." That is the minister's opportunity today under Bill 201, to say to those county councils:

"We believe in the four Rs and we're using this opportunity today because that section of the Municipal Act is open today. So we're going to use this opportunity to say to you, 'We'll give you this authority because this is how we want you to plan for waste management on whatever

regional basis best suits your local municipality and you.’”

It is a great opportunity and I hope the minister will reconsider and support the amendment.

Mr Harris: I apologize. I have not been here for the whole debate, but I was watching in my office as I was having other meetings. I was really struck at that particular time by why it is such a soft amendment, such a permissive amendment that deals with the four-R program, which our party developed but which I thought the Minister of the Environment had embraced. It is news to me what I hear today, that this government, through the Minister of Municipal Affairs, wants to turn its back on the four Rs.

This is an amendment that does the same for this piece of general legislation as was done for the county of Lanark in Bill Pr78, which was unanimously passed on 2 March by this Legislature. It gave Lanark county wide-ranging authority over the collection, disposal and removal of solid waste and the authority to establish the four-R program.

The amendment the member for Mississauga South is proposing today is permissive, and for the life of me I cannot understand why this minister, on behalf of this government, wants to go on record today as saying: “No, we don’t want to allow. We don’t want to give the authority to the counties, in a permissive way, to ‘establish and operate programs for the reduction, recovery, recycling, reuse and composting of waste and resource recovery.’”

1730

I really was astounded as I watched in the office, which is what has brought me here to lend support to the amendment being proposed by the member for Mississauga South and to suggest to the minister that he may want to step back, and instead of just getting the notes coming from people in his own ministry he may want to talk to the Ministry of the Environment people or to the Minister of the Environment himself, who, it was my understanding, had embraced the program our government developed out of that blueprint and the four Rs for waste management in this province.

The Deputy Chairman: Is it the pleasure of the committee that the motion carry?

All those in favour will please say “aye.”

All those opposed will please say “nay.”

In my opinion the nays have it.

Motion negatived.

The Deputy Chairman: Hon Mr Eakins moves that subsection 209a(10) of the act, as set

out in section 1 of the bill, be struck out and the following substituted therefor:

“(10) If a county has assumed the power for providing services or facilities for the collection, removal, disposal, treatment, storage, processing, transfer, reduction, reuse, recovery or recycling of waste, no municipality under a similar or equivalent power, and no person, shall provide such services or facilities within the participating local municipalities without the consent of the council of the county, which consent may be given upon such terms and conditions, including the payment of compensation, as may be agreed upon.”

Hon Mr Eakins: This amendment clarifies that counties which have assumed a waste management power can control the operation of related private waste management facilities located in participating local municipalities. In other words, in a county which has assumed solid waste disposal power, a private solid waste disposal operator has to get the consent of the county to operate.

This was always the intention of the bill. The Association of Municipalities of Ontario, however, pointed out that the wording of the section in the bill at first reading should be clarified.

I am introducing this amendment to ensure that there is no doubt about a county’s authority to control private waste management firms that wish to operate facilities or services in a participating local municipality. This amendment does not affect the right of a private waste management operator to appeal a council decision to the Ontario Municipal Board.

Mr Breaugh: One little question before we proceed: In the printed copy of the government motion I have, the margin note “County has exclusive jurisdiction” was included. I did not hear the minister read that when he read his amendment formally. I take it the government wants that in, as that is the point of the amendment?

Hon Mr Eakins: Yes.

Mr Breaugh: If, with the consent of the House, that could be considered to be part of the motion as read, I think that is the point of the amendment and those words should be included.

I am almost tempted to say that the minister has convinced me that his own amendment is not necessary after his sterling admonition to the member for Mississauga South that her amendments were not necessary. It seems rather strange to have him stand in his place and then proceed to read almost the identical words. I suppose he would conclude that this is absolutely vital now,

but he has never been right before and I doubt he is now, so I will take the amendment in its original form.

I simply want to put on the record that this is one of the areas of concern I have. It basically centres on the last few words that are in this proposal, "including the payment of compensation." I want to put on the record that I do not have a problem with a municipality that does not have its own resources in place to do waste management in a proper way bringing in someone from the outside, from the private sector, to do that. But I do have a problem with a municipality, a county government that rejects its own responsibilities that are clearly set out now, under this bill, and decides to contract that out. I do have a problem with a municipality that decides that because it pays its employees at a certain rate and it can contract that out to somebody else in the private sector at a cheaper rate, that is what they will do. I do have a problem with a municipality that decides it can kind of sweeten up the local coffers by farming out juicy contracts to the private sector for waste management.

I would make this prediction: I think this is going to cause the government some headaches later on. I know it is not the government's intention to do that. I believe the government's intention today is to, as clearly as it can, provide the jurisdiction to settle that argument and to see that county councils have, without question, the legal responsibility and the control over waste management. But I think that over the next few years, some of the hottest arguments we are going to have in this chamber and in council chambers around Ontario will be over this very provision of the bill. I am not saying it is unusual, I am just trying to earmark that I sense there is going to be a difficulty here.

It is almost an irresistible argument, to oversimplify a great deal. People from around Ontario gather at various conventions of municipal organizations and pitches are made to them by companies in the private sector that the private sector can handle their problems: "If you just let us into your municipality, if you just give us the legal right to handle your waste management problem, we'll be there. No problems." They really do not mention very much that they will make a potful of money out of that.

I would sense that as we go through the actual implementation of waste management systems around Ontario, one of the most controversial parts of that will be the role of the private sector and what kind of job it does. I understand why the

amendment is being put forward and I have no real difficulty with it, but I do want to earmark that I think that particular section of the amendment, as proposed, is going to cause problems and the problems are going to be immense.

I would remind the government as gently as I can that we have already seen in the greater Toronto area, supposedly our most sophisticated form of municipal government, that the mechanics of getting the private sector into waste management has already raised a goodly number of questions, like: Who made the proposal? Why are they making that proposal? What kind of money are they going to make? What will they do with that money? What kind of control does the municipality have over a private sector company that enters into some kind of contractual agreement to do this work in a municipality?

I think those arguments are going to get hot and heavy and they are going to be incredibly nasty arguments. I hope they do not dominate the municipal agenda in very many places around Ontario but I have some concerns that they will, because I do know there are a number of municipalities that understand their responsibilities to take on this task but are not taking it on very comfortably, to be blunt about it.

If a county council or a municipality at any level wants to put up an arena, that is a good thing. People like arenas, they like ballparks, they like jogging trails and they like a whole lot of things. It is kind of hard to become popular by putting up a waste management system in your municipality, so the temptation is there, if this is a new responsibility put on your level of government, to reach out for somebody else to do this work. In many of our municipalities there are kinds of arrangements worked out that are a little strange around the edges, but they rely on the private sector a good deal to do this. I think there are going to be some problems in that regard and I think this government is aware that they have already begun and are not going to go away.

The Deputy Chairman: Before going to the next speaker, I would like to clarify one matter. The member for Oshawa has indicated that the words "county has exclusive jurisdiction" should be read or should have been read by the minister as part of the amendment. I did not intervene at that time, because that is not the intention of the amendment. The amendment is not to be read with the marginal note. "County has exclusive jurisdiction" is a marginal note; it is not part of a bill or statute and is therefore not part of an amendment. The problem comes with the way

legislative counsel format the amendments. They make it appear that the marginal note is part of the amendment. Therefore, the minister was correct in reading it without that.

1740

Mrs Marland: This amendment is very interesting at best. I think what this amendment is saying is that it is okay to designate the power, which does not exist in the Municipal Act as it pertains to the four Rs, as long as it is a private operation. If that is not so, I would like the minister to clarify that. Perhaps he could answer that question for me.

The Deputy Chairman: Thank you. Other discussion?

Mrs Marland: Excuse me, Mr Chairman. I thought in committee of the whole it was quite in order to ask a question of the minister. Perhaps he did not hear the question. I am happy to repeat it.

The way the amendment is worded, it could be interpreted that the minister has slid in the four words he voted against in my amendment, namely, "reduction, reuse, recovery or recycling" of waste, which he said were inappropriate in my amendment. I do not understand how using those four words in my amendment was inappropriate, because the minister said we were not into that section of the act. Now he seems to think it is okay to slide those words in.

That is one issue. The other issue is that it also reads that it is okay to slide those four Rs in and transfer the power to county councils as long as it is a private sector operation.

What is the minister intending by this amendment? Is he intending that we will have four-R programs and we will give them the power, the very thing he just voted against in my amendment, or is he intending that those four-R programs only pertain to county councils that have a private sector operation for waste management, not a government or public sector operation?

Hon Mr Eakins: The amendment simply reads that if a county has assumed the power for providing services or facilities for those certain areas. That is the reading of the bill: if they have assumed those responsibilities.

Mr Breagh: Excuse me for saying so, but that is incoherent. Would the minister have somebody write him a note that says what it is he is doing here? The minister's response to the member for Mississauga South simply did not make sense.

Hon Mr Eakins: The four words are already included in the definition of the section of Bill

201. The power is already under the Municipal Act.

Mrs Marland: It is unfortunate to have to be repetitious, but the minister must have a different Municipal Act than I do—

Mr Fleet: Well, we'll get you the right act then.

Mrs Marland: —because those four words, for the benefit of another member who is not sitting in his seat—I think if the member for High Park-Swansea wants to take part in this discussion, he is perfectly welcome to, if he would take his own seat, but I guess his ability is limited to talking from elsewhere in the House. I will not use the words that he used yesterday which he was subsequently asked to withdraw in this House.

In the Municipal Act today, in the section that pertains to waste management, namely, garbage disposal—and I will say this very slowly, because then there may be some comprehension—there is nowhere in that Municipal Act today in that section that it refers to the four Rs, and there is probably a good reason for it.

My copy is now on the desk in front of me and I cannot reach it.

Mr Breagh: That's why I'm here.

Mrs Marland: Thank you very much.

The Municipal Act was originally passed in 1980. There obviously have been revisions and amendments since then, but let's face it: I do not think anybody in this Legislature today would argue against the fact that it is only perhaps in the last five years that we have really come into the 20th century in terms of education and appreciation for what impact the four Rs can have in waste management.

If you are looking at reducing the amount of waste and if you are looking at reusing it and recycling and recovering, you obviously are looking, as I say again, at saving money. Maybe the Liberal government is not interested in saving money, but I want to tell the members that the Progressive Conservatives are.

The fact is that in the existing statute, under section 83, which the minister has already referred to and which is the section of the Municipal Act dealing with garbage, it does not refer to the four Rs. The minister spoke against and voted, with all his brilliant Liberal colleagues, against my motion asking him to include the four Rs in this bill that is before us today. The minister said we cannot include the four Rs today because that is not the section of the Municipal

Act that is addressed under Bill 201, the bill we are dealing with today.

There may be some people who would have to accept that. Obviously, the people who voted with him accepted it, but he cannot have a double standard and come right in after he has defeated my amendment with his own amendment that includes the four Rs.

I want to know what rules we are playing by here. It is not good enough that the minister defeats my amendment addressing the four Rs and then places an amendment that gives the power to county councils that includes the four Rs. Which side of the chessboard is he on and what colour is he playing with?

I think it is grossly unjust, and worse than that, it does not even have any coherent sense. I would like the minister to tell me how he can include the four Rs in his amendment and defeat the four Rs in mine. If it is blatantly that he wants to have the ball in his court, he can take it, but the fact of the matter is that the minister cannot stand in this House and say that Bill 201 does not give him the power to address the subject of four Rs and waste management for the county councils of this province because the Municipal Act is under review and he plans to do that some time in the future and then place this amendment now, which is probably even worse. As I read this amendment, he is saying it is okay for county councils to enter into the four Rs in the management of waste as long as it is a private sector operation. I want to know if the minister is only in favour of the four Rs for county councils as long as it is private sector.

1750

Hon Mr Eakins: We are sort of getting caught up in terminology or interpretation. "‘Waste management power’ means any power conferred by any general or special act on local municipalities or local boards thereof related to the collection, removal, disposal, treatment, storage, processing, transfer, reduction, reuse, recover or recycling of waste."

Mrs Marland: Then why would the minister speak and vote against my amendment?

Hon Mr Wrye: Because he did.

Mrs Marland: I think the record should show that obviously I am going to respect my colleagues in the House and the fact that we are grinding down in time here at the end of the afternoon. But I think the record should show that in answer to my questions about why there is suddenly a double standard and the rules of the game change, and why the minister voted against

my amendment, the answer that came from the other side of the House, albeit not from the minister himself but from the member for Windsor-Sandwich, obviously, was, "Because he did."

I want to say that those kinds of answers are not good enough for the people in this province today who believe in trying to save money and who want their county councils to have the economies of operation that Bill 201 gives them. Bill 201 happens to be a bill that the county councils have asked for and one my colleague the member for Wellington has spoken in support of on behalf of his county council.

It is simply not good enough that when you ask a question back of the minister, the answer is, "Because he did." That is simply not good enough. The people of this province expect a responsible government. When it gives them the authority this bill will give them, they particularly expect a responsible government to allow their county councils to give them the authority to plan for true waste management.

When they do their long-term waste management plans, either on a county or regional basis, they want to be able to include, with authority, the four Rs and that is simply all the Progressive Conservatives have tried to achieve here this afternoon. But obviously the minister and his colleagues have had some other advice and ultimately some other agenda, and suddenly they decide they will vote some other way. It is not a good enough answer, but it is obvious we are at the limit of extracting a better answer from this minister.

Motion agreed to.

The Deputy Chairman: Mr Eakins moves that subsection 209a(25) of the act, as set out in section 1 of the bill, be amended by inserting after subsection (15) in the third line, "or the transfer of agreements under subsection (18)."

Hon Mr Eakins: The purpose of this amendment is to make disputes relating to the transfer of agreements subject to an Ontario Municipal Board hearing and to the dispute settlement mechanism provided in the bill.

The first reading bill provides that disagreements regarding the transfer of assets and liabilities related to waste management are subject to an Ontario Municipal Board hearing and a disputes settlement mechanism. In an article that appeared in *Municipal World*, it was pointed out that there may be disputes regarding agreements assumed by a county. To deal with such a possibility, this amendment provides that the dispute settlement mechanism and the OMB

also have jurisdiction over disputes over the assumption of agreements by the county.

Mr Breagh: We think it is quite a reasonable thing. I would hesitate to ask the minister to explain it, so I will just do as any good staffer and say that we support the concept behind it.

Mrs Marland: I think, based on my foregoing experience about getting something clarified or any clear information, I too really do not have any further comments.

Motion agreed to.

Section 1, as amended, agreed to.

Sections 2, 3 and 4, inclusive, agreed to.

Bill ordered to be reported.

On motion by Hon Mr Wrye, the committee of the whole House reported one bill with certain amendments.

Hon Mr Conway: Mr Speaker, it being three minutes and 30 seconds short of our normal adjournment time—

Mr Breagh: You've run out of things to do.

Hon Mr Conway: No, I have not. Actually, there are a number of other matters. I am inclined not to send the Minister of Revenue (Mr Grandmaitre) to his feet at this time to begin the next order, which would be the Fuel Tax Amendment Act. I think we should probably adjourn now.

The House adjourned at 1758.

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

PORNOGRAPHY

11 Mr Jackson: Would the minister responsible for women's issues clarify whether he believes there exists any causal link between pornography and violence against women and children, and provide reference to supporting documentation? [Originally tabled 27 February 1989. Tabled 26 April 1989]

Hon Mr Sorbara: With regard to the information requested, I would advise as a minister of the crown that, having reviewed the literature available in this area, it would appear that there is some research both for and against the proposition. Although this government has not formulated a definitive position on the issue, it is currently under review along with issues related to sexual assault. It would appear from the research, based on information from women who have experienced violence, that a causal link does exist between pornography and violence against women.

AGRICULTURAL LAND

69 Mr Villeneuve: Will the Minister of Agriculture and Food please provide a list of applications for severances from agricultural land his ministry has been asked to comment on or approve since 4 February 1986 showing: number of severances approved; number denied; number pending a decision; date of request; date of decision; size of the severance; and size of the original parcel of land? [Tabled 4 May 1989]

Hon Mr Riddell: It needs to be noted that the Ministry of Agriculture and Food is not the approval authority for severances in Ontario. Approval rests with municipalities. As such, local approval authorities, such as land division committees or committees of adjustment, are responsible for retaining complete files on the severance applications for their respective areas.

Items 1 to 3: Information is available for the two time periods noted in the following table. Data for 1988 has not been compiled.

	1 Apr 1986 to 31 Mar 1987	1 Jan 1987 to 31 Dec 1987
	No. of severances	
Reviewed by OMAF	9,271	10,515
Granted* by AA**	6,570	7,127
Denied* by AA**	941	959
Pending* before AA**	1,656	1,870

*Data based on only those severances reviewed by OMAF; OMAF has no data on those severances not sent to OMAF for review.

**AA refers to the delegated approval authority, such as land division committee or committee of adjustment.

Items 4 to 7: OMAF does not compile summary records of this information.

ONTARIO FAMILY FARM INTEREST RATE REDUCTION PROGRAM

71 Mr Villeneuve: Will the Minister of Agriculture and Food provide copies of all letters, memoranda, documents and studies within his possession which consider or discuss the feasibility of continuing the Ontario family farm interest rate reduction program? [Tabled 4 May 1989]

Hon Mr Riddell: The Ontario family farm interest rate reduction program was originally designed as a one-year program but was extended for a further three years to meet the continuing financial needs of farmers.

The program was not designed as a long-term initiative. Moreover, a number of changes have occurred in the farm financial situation in Ontario since the inception of the program. The changes include: Interest rates have decreased significantly since the introduction of OFFIRR. Although interest rates have risen recently, the projection is for lower rates over the next year or two. Interest on indebtedness has decreased by \$100 million since 1985. Owner's equity increased for all farm types (excluding cash crops) between 1984 and 1988. The debt-equity ratio improved for all farm types (except dairy) between 1984 and 1988. Farm debt declined for all farm types (excluding dairy) for the period 1984 to 1988.

The ministry has not conducted a feasibility study on continuing the OFFIRR program.

However, I have included a background section from a paper on farm financial initiatives.

Overview on farm adjustment initiatives

Rapidly rising commodity prices and escalating farm asset values were characteristic of the mid-1970s and early 1980s. This inflationary period precipitated a major increase in the capital invested in the agricultural industry to adopt new production technologies and to achieve economies of size and scale. The return on capital investment was based on inflationary asset values and improved production efficiency. As the production supply increased, commodity prices and net farm incomes fell.

By 1982, the industry was faced with financial pressures. Farm foreclosure actions became widely publicized as interest rates reached unprecedented highs and farm incomes were unable to service the debt assumed during the preceding period of capitalization.

In response to the farm financial situation, the Ontario government introduced the Ontario farm adjustment assistance program in 1982. This program provided farm financial assistance through interest rebates and operating loan guarantees. In 1985, the OFFIRR program was introduced; in 1986, the interest rebate component of OFAAP was incorporated into the Ontario farm interest rate reduction program. The objective of the OFFIRR program was to provide short-term emergency assistance by reducing part of the interest cost on farm loans.

Concurrently, the Honourable Jack Riddell and the Honourable Robert Nixon established the Interministerial Task Force on Agricultural Finance to develop a long-term approach to the farm finance issue. Two of the major recommendations contained in the 1986 task force report were that: OFFIRR continue until May 1989 with the level of benefits declining over a three-year period; the government consider other initiatives for implementation in the short, medium and long term to address the issue to farm finance.

The task force report also identified the cost and availability of credit as a major problem area in the agricultural sector.

Currently, there appears to be an adequate supply of credit available to meet the needs of the industry; interest rates have declined to some extent in nominal and real terms. However, the cost and availability of credit remain concerns of the industry due to changes in the participation and lending practices of the major suppliers of agricultural credit.

Chartered bank participation in Ontario agricultural lending peaked in 1980 at 53 per cent and subsequently declined to 49 per cent in 1986. The decline in bank participation was offset by an increase in the FCC's participation in the market from 22 per cent in 1980 to 26 per cent in 1986. The major factors influencing the bank's level of participation in the farm credit market are: the high risk associated with agricultural lending; the past history of loan losses; increasing administrative requirements to monitor accounts; the corporate requirement that the agricultural portfolio achieve a profitability level comparable with that of other sectors.

Given FCC's current deficit level, it is expected that FCC's lending criteria will become more stringent and the supply of low-cost, long-term credit will be restricted. Also, it is doubtful that FCC will be able to offset any future credit shortages caused by the bank's withdrawal from the farm credit market.

A reduction in the participation rate of the major suppliers of agricultural credit may result in higher credit costs. The risk associated with providing farm credit has already had an impact on the cost of credit as financial institutions implement strict lending guidelines to ensure minimal risk exposure. Higher credit costs for agricultural accounts are reflected in operating loans at a prime plus rate of interest, higher service charges and maximum security coverage.

Finally, the introduction of farm debt review legislation in 1986 has had an impact on the cost of credit. The farm debt review process has increased the cost to the lender to service high-risk accounts. As well, the process has focused attention on high-risk farm accounts to the extent that even sound farm credit financing proposals are carefully screened by the credit departments of the financial institutions.

ASSISTANCE TO FARMERS

72 Mr Villeneuve: Will the Minister of Agriculture and Food provide copies of all letters, memoranda, documents and studies within his possession which consider or discuss the feasibility of establishing a capital loans program to provide farmers assistance for capital improvements and for improving efficiency? [Tabled 4 May 1989]

Hon Mr Riddell: The Ministry of Agriculture and Food does not have any letters, memoranda, documents or studies which consider or discuss the feasibility of establishing a capital loans programs to provide assistance to farmers for

capital improvements and improving efficiency.

SOIL CONSERVATION

73 Mr Villeneuve: Will the Minister of Agriculture and Food provide copies of all letters, memoranda, documents and studies within his possession which consider or discuss the feasibility of establishing a Soil Conservation Council? [Tabled 4 May 1989]

Hon Mr Riddell: The Ministry of Agriculture and Food does not have any letters, memoranda, documents or studies which consider or discuss the feasibility of establishing a Soil Conservation Council.

CROP INSURANCE

74 Mr Villeneuve: Will the Minister of Agriculture and Food provide copies of all letters, memoranda, documents and studies within his possession which consider or discuss the feasibility of amending the Canada-Ontario crop insurance program to increase the provincial share of premiums and to increase the coverage option from 80 per cent to 90 per cent? [Tabled 4 May 1989]

See sessional paper 54.

FOOD EXPORTS

75 Mr Villeneuve: Will the Minister of Agriculture and Food provide statistics, either on a monthly or a quarterly basis, showing the amount and value of each Ontario food product exported to Pacific Rim countries from April 1986 to the present? [Tabled 4 May 1989]

See sessional paper 55.

FARM TAX REBATE

76 Mr Villeneuve: Will the Minister of Agriculture and Food provide copies of all letters, memoranda, documents and studies within his possession which consider or discuss

the feasibility of continuing the farm tax rebate program at its current level? [Tabled 4 May 1989]

Hon Mr Riddell: The farm tax rebate program is currently under review and the background information is not available for distribution at this time.

CONSULTATION COMMITTEE ON COUNTY GOVERNMENT

77 Mr McCague: Will the Minister of Municipal Affairs provide the cost of the preparation of the Report of the Consultation Committee on County Government? [Tabled 4 May 1989]

See sessional paper 56.

78 Mr McCague: Will the Minister of Municipal Affairs provide the travel, food and lodging costs of each of the members and staff participating in the 26 county meetings of the Consultation Committee on County Government? [Tabled 4 May 1989]

See sessional paper 56.

RACE RELATIONS

113 Mrs Marland: Would the Minister of Citizenship provide a list of all organizations that have received funding through the \$500,000 program to support community-based race relations projects, the amount of each grant, the date issued and the project it was used for? [Tabled 8 May 1989]

Hon Mr Phillips: The race relations projects grants program was announced in the autumn of 1988, the midpoint of the fiscal year. In the remaining months of the year, 10 grants totalling \$165,188 in value were issued (see attached report). The time required to process a grant, from receipt of application to approval, normally takes a minimum of three months.

Grant applications for the 1989-90 fiscal year are currently being received and processed.

Community Project Grants Race Relations Projects Funded 1988-89

Organization	Amount approved	Project description
Toronto Mayor's Committee on Community and Race Relations Approved 08/02/89	\$35,000	To promote 1989 as the Year for Racial Harmony.
Coalition of Visible Minority Women Approved 24/03/89	\$10,000	To conduct a critical analysis of the city of Toronto's employment equity program and develop a model for use in Ontario public institutions.

Organization	Amount approved	Project description
Cross Cultural Communication Centre Approved 24/03/89	\$4,000	To develop a curriculum kit for a course on community development with immigrant women.
Youth Communication Toronto Approved 24/03/89	\$10,000	To host an exhibit entitled Snap Shots: A Study of Ethnic Diversity in Ontario.
Ontario Federation of Labour Approved 24/03/89	\$35,000	To develop a campaign to fight racism.
Kingston Black Women's Collective Approved 20/03/89	\$10,000	To host a series of race relations educational activities.
African Heritage Institute Approved 31/03/89	\$5,000	To conduct research and develop a publication of historical and cultural issues that address the needs of the black community.
Nurses Continuing Education Club Approved 31/03/89	\$5,480	To host a workshop on race relations.
City of Scarborough Equal Opportunity Program Approved 31/03/89	\$15,708	To develop policies and programs aimed at reducing racial tension and conflict.
Hamilton Board of Education Approved 20/03/89	\$35,000	To develop a campaign to fight racism.
Total funding:	\$165,188	

RACE RELATIONS DIRECTORATE

114 Mrs Marland: Would the Minister of Citizenship provide the budget allocation, actual expenditure and a detailed explanation of vari-

ances for the race relations directorate in fiscal 1987-88 and 1988-89? [Tabled 8 May 1989]

Hon Mr Phillips: Please find attached reports on the budget of the race relations directorate for fiscal years 1987-88 and 1988-89.

Race relations directorate

Statement of financial position as of 31 March 1989

Final variance report for fiscal year 1988-89 (each dollar unit quoted represents \$1,000)

1 Salaries and wages

Actual expenditure	\$1,239.0
Allocation	\$1,291.6
Variance	\$ 52.6

Benefits

Actual expenditure	\$ 153.0
Allocation	\$ 196.2
Variance	\$ 43.2

Explanation: Vacancies occurred in the branch and standard time delays in the recruitment process resulted in vacancy savings in salaries and benefits.

2 *ODOE

Actual expenditure	\$ 509.8
Allocation	\$ 525.1
Variance	\$ 15.3

Explanation: \$15.3 in invoices were not processed prior to the end of the fiscal year.

3 Race relations fund

Actual expenditure	\$ 792.1
Allocation	\$ 750.0
Variance	\$ (42.1)

Explanation: The Task Force on Access to Professions and Trades spent more than was anticipated. Overexpenditure was offset by underexpenditure in salaries and ODOE.

*ODOE – other direct operating expenses

Race relations directorate

Statement of financial position for fiscal year 1987-88
(each dollar unit quoted represents \$1,000)

1 Salaries and wages

Actual	\$1,074.8
Allocation	\$1,018.6
Variance	\$ (56.2)

Benefits

Actual	\$ 138.0
Allocation	\$ 160.0
Variance	\$ 22.0

Explanation: Contract staff were retained to undertake duties in race relations training, conflict resolution and employment equity for racial minorities. Benefits were underspent due to use of contract and temporary rather than permanent staff pending reorganization.

2 *ODOE

Actual	\$ 415.7
Allocation	\$ 487.9
Variance	\$ 72.2

Explanation: Variance due to delay in undertaking planned technology feasibility study.

*ODOE – other direct operating expenses

115 Mrs Marland: Would the Minister of Citizenship provide a list of the private and public sector organizations to which the race relations directorate has provided consultative services for developing race relations policies and related initiatives? [Tabled 8 May 1989]

Hon Mr Phillips: The race relations directorate provides consultative services for developing race relations policies and related initiatives to a broad range of organizations in the public, broader public and private sectors. Organizations to which the directorate provided services from

September 1987 to March 1989 include those listed below. Of the 171 organizations listed, 140 are in the public and broader public sectors and 28 are private sector organizations.

Ontario government ministries are shown separately. Public and private sector organizations are listed by geographic region. In some instances the name of an organization or institution will be repeated, signifying that services were provided to more than one office within the organization or that services were provided for more than one project or purpose.

Government of Ontario

- 1 Ministry of the Attorney General
- 2 Ministry of Citizenship
- 3 Ministry of Colleges and Universities
- 4 Ministry of Community and Social Services
- 5 Ministry of Consumer and Commercial Relations
- 6 Ministry of Correctional Services
- 7 Ministry of Education
- 8 Ministry of Health
- 9 Ministry of Housing
- 10 Ministry of Labour
- 11 Ministry of Municipal Affairs
- 12 Ontario native affairs directorate
- 13 Ontario women's directorate
- 14 Ministry of Skills Development
- 15 Ministry of the Solicitor General

Central region

- 16 Scarborough Board of Education
- 17 North York Board of Education
- 18 Rexdale Planning Council
- 19 Metropolitan Toronto Separate School Board Race/Ethnic Relations Advisory Committee
- 20 East York Board of Education Multicultural and Ethnic Race Relations Task Force
- 21 North York Board of Education Race Relations Subcommittee
- 22 Toronto Board of Education Race Relations Committee
- 23 Warden Woods Inter-Agency Committee
- 24 Scarborough Board of Education—Multicultural and Race Relations Policy Advisory Committee
- 25 Metro Children's Aid Society—Multicultural Advisory Committee
- 26 George Brown College (hospitality management)
- 27 George Brown College (race relations committee)
- 28 Ontario Institute for Studies in Education
- 29 Social Planning Council (Ajax-Pickering)
- 30 International Ladies Garment Workers Union
- 31 Northwest Committee (North York)
- 32 Pickering Mayor's Task Force on Race and Ethnic Relations
- 33 Catholic Children's Aid Society Race and Ethnic Relations Advisory Committee;
- 34 University of Toronto (library)
- 35 Ontario Hospital Association
- 36 Toronto East General Hospital
- 37 Social Planning Council of Metropolitan Toronto
- 38 York Region Separate School Board
- 39 Durham region (municipality)
- 40 Liquor Licence Board of Ontario

- 41 Town of Pickering
- 42 Metropolitan Toronto Housing Authority
- 43 Municipality of Metropolitan Toronto
- 44 Cross Cultural Communication Centre
- 45 City of Oshawa
- 46 Durham Region Roman Catholic Separate School Board
- 47 Peel region (municipality)
- 48 Multicultural and Race Relations Committee, Etobicoke Board of Education
- 49 Metropolitan Toronto Police Force
- 50 York South Interagency Network
- 51 Peel Regional Police
- 52 Peel Region Board of Education
- 53 North York Youth Employment Services
- 54 United Steelworkers of America
- 55 Markham (municipality)
- 56 YWCA (Toronto)
- 57 York Region Board of Education
- 58 Board of Trade (Mississauga)
- 59 Board of Trade (Toronto)
- 60 Brampton Race Relations Committee
- 61 City of Scarborough
- 62 University of Toronto school of nursing
- 63 East York Multicultural and Race Relations Committee
- 64 City of North York Committee on Community Race and Ethnic Relations
- 65 Toronto Mayor's Committee on Community and Race Relations
- 66 Multicultural and Race Relations Committee, Etobicoke
- 67 Committee on Race and Ethnocultural Relations, town of Vaughan
- 68 Committee on Race and Ethnocultural Equity, Markham
- 69 York Region Race Relations Committee
- 70 Peel Regional Police Force

Northern region

- 71 Sudbury Race Relations Committee
- 72 Timmins Native Friendship Centre
- 73 Thunder Bay Native Friendship Centre
- 74 Immigrant Services Advisory Committee (Thunder Bay)
- 75 Sudbury Native Friendship Centre
- 76 Sudbury Regional Police
- 77 City of Thunder Bay
- 78 Timmins Police Force
- 79 Timmins Board of Education
- 80 Rainy River High School
- 81 Northern College
- 82 City of Kenora
- 83 Laurentian University
- 84 Thunder Bay Police Force
- 85 Timmins Roman Catholic Separate School Board

Eastern region

- 86 Carleton Board of Education
- 87 Ottawa Board of Education
- 88 Frontenac County Board of Education
- 89 St Lawrence College
- 90 Multicultural Health Coalition (Kingston)
- 91 Kingston and District Immigrant Services
- 92 Carleton University
- 93 Regional municipality of Ottawa-Carleton
- 94 Ottawa and District Labour Council
- 95 Gloucester Police Force
- 96 Community Immigrant Services
- 97 Kingston General Hospital
- 98 Kingston Police Force
- 99 Queen's University
- 100 City of Kingston
- 101 Community and Race Relations Committee of Peterborough
- 102 Kingston Employment Equity Network
- 103 Algonquin College
- 104 Marriott Corp (Queen's University food services)
- 105 Nepean Police Force
- 106 University of Ottawa
- 107 Local Agencies Serving Immigrants
- 108 Regional municipality of Ottawa-Carleton public health department, dental division
- 109 City of Ottawa
- 110 City of Ottawa Advisory Committee on Visible Minorities
- 111 Ottawa-Carleton Roman Catholic Separate School Board
- 112 Carleton Roman Catholic Separate School Board
- 113 City Living, City of Ottawa Housing Authority
- 114 Ottawa-Carleton Regional Housing Authority
- 115 Ottawa Employment Equity Network
- 116 Ottawa ACCESS Committee

Southeast region

- 117 Hamilton Roman Catholic Separate School Board
- 118 Brantford Roman Catholic Separate School Board
- 119 Multicultural Health Coalition (Hamilton)
- 120 Regional municipality of Kitchener-Waterloo
- 121 Waterloo County Board of Education
- 122 University of Guelph
- 123 Hamilton-Wentworth Police Force
- 124 Waterloo Regional Police
- 125 Brantford Regional Police
- 126 Brantford Race and Ethnic Relations Committee

- 127 Guelph Race Relations Committee
- 128 Board of Education for the City of Hamilton
- 129 Waterloo County Separate School Board
- 130 City of Hamilton
- 131 Hamilton Mayor's Race Relations Committee.

Southwest region

- 132 Board of Education for the City of London
- 133 University of Western Ontario
- 134 Fanshawe College
- 135 Faculty of education, University of Western Ontario
- 136 Multicultural Health Coalition (London)
- 137 Canadopt
- 138 YMCA (Sarnia)
- 139 London and Middlesex Housing Authority
- 140 Leamington Police Force
- 141 Windsor Police Force
- 142 St Clair College
- 143 Lambton County Board of Education
- 144 City of Windsor
- 145 City of Chatham
- 146 Chatham Police Force
- 147 Thames Valley District Health Council
- 148 Oxford County Board of Education
- 149 G. A. Wheable Centre of Adult Education, Board of Education for the City of London
- 150 YWCA (St Thomas)
- 151 YMCA (London)
- 152 Women Immigrants of London Office Skills (WILOS)
- 153 CAMI Automotive (General Motors/Suzuki, Ingersoll)
- 154 London Employment Equity Network
- 155 City of London
- 156 Windsor Housing Authority
- 157 Windsor Roman Catholic Separate School Board
- 158 Essex Roman Catholic Separate School Board
- 159 Victoria Hospital
- 160 Lambton College
- 161 Middlesex County Board of Education
- 162 Huron County Board of Education
- 163 London Roman Catholic Separate School Board
- 164 St Joseph's Health Centre of London
- 165 Lambton County Roman Catholic Separate School Board
- 166 Cross Cultural Learner Centre (London)
- 167 Ontario Provincial Police
- 168 City of Windsor
- 169 City of Windsor Race and Ethnic Relations Committee
- 170 Kent County Board of Education
- 171 Wallaceburg Police Force

116 Mrs Marland: Would the Minister of Citizenship provide the details of each public education program to promote racial harmony developed and/or delivered by the race relations directorate? [Tabled 8 May 1989]

Hon Mr Phillips: The race relations directorate delivers its public education program in a number of ways.

Some project work of the RRD is solely designed as public education. More often, the work of the RRD in policy and program development, conflict resolution, consultation and liaison may be commenced through a public education initiative designed to serve as a foundation for more in-depth developmental work. This linkage between public education and other work of the RRD is an example of how the branch utilizes elements of its programs as building blocks to achieve its mandate.

Sixty-five public education projects undertaken in the period September 1987 to March 1989 are listed below. In addition, smaller public education activities are undertaken on a regular basis. These may include presentations, participation as resource persons or panellists at conferences and speeches. For example, the executive co-ordinator of the branch delivered approximately 37 speeches in the stated time period.

The date noted in brackets at the end of each initiative listed below indicates the date on which the RRD began to be involved in the initiative. In some instances, there may be follow-up work including intensive policy or program development and in other cases ongoing consultation of a general nature.

Central region

Breakfast seminar for health professionals, Toronto (18/07/86)

Conference titled Social Interaction in a Changing Society, Pickering (19/08/86)

With the Afro-Canadian Congress, a conference on employment equity, Toronto (29/09/86)

With the Chinese Canadian National Association, a conference on race relations and education, Toronto (29/09/86)

With the Canadian Union of Public Employees, a conference on race relations and labour, Toronto (20/11/86)

With the Filipino community, a conference on race relations issues in general, Toronto (07/07/87)

With the Urban Alliance on Race Relations, a conference on race relations and the media, Toronto (06/03/87)

With the Association of Women of Origin in India, a conference on visible minority and immigrant women, Toronto (09/02/87)

Conference titled Youth and the Future, Mississauga (03/03/87)

With the Parkdale Intercultural Council, a conference on race relations and employment, Toronto (31/03/87)

With the Multicultural Health Association, a conference on race relations and health issues, Toronto (16/09/87)

Two workshops on race relations and social service delivery, North York (19/05/87)

With Central Link, a workshop on race relations and social service delivery, Toronto (10/06/87)

Conference on race relations in general, Pickering (20/07/87)

With Korean community leaders, a conference on race relations in general with specific relevance to the Korean community, Toronto (05/08/87)

With the North York Board of Education, a conference on race relations and education issues, North York (01/09/87)

Participation in Health Fair, Richmond Hill (04/09/87)

Assistance to the Peel Multicultural Council in organization of celebration of Human Rights Day, Mississauga (12/11/87)

With Dixon Hall, a conference on race relations in general, Regent Park, Toronto (12/11/87)

Seminar on race relations and health, York Central Hospital, York (14/12/87)

Conference on race relations and municipal government (major provincial conference), Toronto (02/02/88)

Workshop on race relations and employment at Fabergé, Toronto (16/12/87) With the Ontario Multicultural Association, a conference on race relations in general, Toronto (04/05/88)

Seminar on race relations in the workplace, Ontario Liquor Board Employees Union, Toronto (02/02/88)

With the Peel Multicultural Association, two seminars and major workshop on race relations issues in general, Mississauga (24/05/88)

With Youth Communications Toronto, a conference on race relations in general with special emphasis on visible minority youth, Toronto (06/06/88)

Forum on hate literature, Ajax-Pickering (15/06/88)

Conference on race relations in general, with special emphasis on visible minority youth, with

the Korean community, Toronto (21/06/88)

With the Canadian Union of Public Employees, a conference on race relations and labour, Toronto (22/11/88)

With the York Region Roman Catholic Separate School Board, a students' conference on race relations and education, Richmond Hill/York (07/10/88)

With the Ontario Hospital Association, a conference on race relations and health care, Toronto (08/12/88)

Employment equity conference in Oshawa (06/02/89)

With the Urban Alliance on Race Relations, a conference on race relations and employment, Toronto (08/02/88)

Development and distribution of a brochure on the services of the race relations directorate titled *A Guide To Services*.

Outside the greater Metropolitan Toronto area

Assistance in organization of and participation in Black Awareness Day, Kitchener-Waterloo (23/10/86)

Conference on race relations issues relevant to aboriginal people, Windsor (26/10/86)

Conference for black youth, Windsor (26/10/86)

Conference on race relations and education, Ottawa (28/11/86)

Assistance in development of a newsletter, with the Native Friendship Centre, Sault Ste Marie (04/12/86)

Seminar on employment equity in Thunder Bay (01/04/87)

Seminar on race relations issues relevant to aboriginal people, northwest region (02/04/87)

Conference on double jeopardy (racism and sexism), with and for visible minority women, Kingston (01/05/87)

Assistance in organization of and participation in a job fair on race relations and employment, Ottawa (13/05/87)

Conference on race relations and health, Windsor (22/07/87)

With 26 community organizations, a conference titled *Future Directions in Race Relations in a Multiracial Society*, Toronto (08/09/88)

Seminar on double jeopardy, with and for visible minority women, Ottawa (16/07/87)

With the Ministry of Education, a conference on race relations and education, Thunder Bay (30/06/87)

Seminar on race relations in general, Sioux Lookout (30/06/87)

Seminar on race relations issues in general, Paris (07/08/87)

Conference on race relations and health, London (21/08/87)

Conference on race relations and policing, Windsor (03/09/87)

Conference on employment equity and the media, Windsor (03/09/87)

Participation in Human Rights Awards (Media), Ottawa (03/09/87)

Conference on race relations issues of relevance to aboriginal people, Sudbury (20/11/87)

Seminar on employment equity, Belleville (27/10/87)

Seminar on race relations and education, London (09/12/87)

Conference on curriculum development and review (education sector), Ottawa (30/11/87)

Seminar on racial harassment in the workplace, London (16/02/87)

Conference on race relations and education, Sudbury (14/01/88)

Conference on double jeopardy, with and for visible minority women, Sudbury (15/01/88)

Assistance in development of Children's Festival, Kingston (08/03/88)

Seminar on race relations and health, Ottawa (11/07/88)

Conference on race relations issues in general, Ottawa (23/08/88)

Conference on visible minority youth, London (09/09/88)

With the Ontario Multicultural Association *multiculturelle de l'Ontario*, a conference on human rights and multiculturalism (18/01/89).

117 Mrs Marland: Would the Minister of Citizenship provide a list of each project in which the race relations directorate assisted in or initiated the design and implementation of mechanisms for resolving or preventing racial tensions? [Tabled 8 May 1989]

Hon Mr Phillips: The race relations directorate's work in preventing racial tensions is carried out in many ways, including the following:

Ongoing liaison and consultation with community and institutional representatives in high-risk jurisdictions and neighbourhoods to ascertain the race relations climate and to identify potential sources of tension;

Inclusion in race relations training programs of discussion on methods of identification of sources of tension, methods of reduction of tension and the importance of preventive mechanisms through policy and program development;

Development of or assistance in development of resource materials on race relations issues to provide necessary factual information that can be used to dispel myths or incorrect statements about race relations which can exacerbate tensions;

Public education, for the same reasons preceding, and

Comprehensive policy and program development work, which includes as a component the prevention and resolution of tensions in the relevant jurisdiction.

The conflict resolution work of the RRD is also predominantly preventive in nature. (Please find attached a copy of a response to question 118; in each of the 193 cases noted, preventive work was undertaken.)

When the RRD responds to instances of racial tension or conflict, while its first objective is to prevent an escalation of conflict, its ultimate aim is to ensure that mechanisms are put into place to prevent future occurrences.

Therefore, one priority target sector for the RRD is municipal government. Local governments are closest to the grassroots of the community and have direct or indirect jurisdiction over many institutions. Furthermore, strong leadership in a municipality can set a model for community behaviour and reflect the best principles of that community.

To that end, the RRD has been instrumental in the establishment of the following municipal race relations committees:

- 1 East York Multicultural and Race Relations Committee
- 2 City of North York Committee on Community, Race and Ethnic Relations
- 3 Toronto Mayor's Committee on Community and Race Relations
- 4 Multicultural and Race Relations Committee, city of Etobicoke
- 5 Hamilton Mayor's Race Relations Committee
- 6 City of Windsor Race and Ethnic Relations Committee
- 7 Committee on Race and Ethnocultural Relations, town of Vaughan
- 8 City of Ottawa, Advisory Committee on Visible Minorities
- 9 Sudbury Race Relations Committee
- 10 Brantford Ethnic and Race Relations Committee
- 11 Community and Race Relations Committee of Peterborough
- 12 Pickering Mayor's Task Force on Race Relations

13 Committee on Race and Ethnocultural Equity, Markham

14 Guelph Race Relations Committee

15 York Region Race Relations Committee

16 City of Brampton Race Relations Committee.

The RRD also convened a provincial conference in December 1988 on the role of municipal government in race relations.

In March 1988 the RRD delivered a major training program on conflict resolution to staff and more than 50 representatives of institutions from across the province. Plans are currently under way to hold another similar training program during the current fiscal year.

In addition, the RRD participates as chair, member of or resource to a number of committees across the province. These committees may have a number of roles but include response to or prevention of racial tension. For example, the Intergovernmental Co-ordinating Committee on Race Relations in Metropolitan Toronto is chaired by the executive co-ordinator of the RRD. In the past year, the committee has developed mechanisms for co-ordinated response to race relations incidents and has supported a local municipal race relations committee in responding to a conflict situation.

118 Mrs Marland: Would the Minister of Citizenship provide a list of each case where the race relations directorate has acted as a mediator of individual and community-based racial disputes? [Tabled 8 May 1989]

Hon Mr Phillips: Because of the need to protect the privacy of individuals and groups in often-sensitive conflict resolution cases, it is not considered appropriate to share descriptive details of such cases. The following, however, provides general information on 193 dispute resolution cases dealt with by the race relations directorate from September 1987 to 31 March 1989:

1 Number of individual disputes: 153.

2 Number of group disputes: 40.

3 Number of disputes in each of the following sectors: police 16; education 26; business (eg, related to access to service in private sector or related to a commercial product considered to be offensive) 12; employment 12; housing 5; media 13; health, social services 1; neighbourhood (eg, dispute between two or more neighbours; not a dispute among groups) 59; other (eg, creed, intraracial conflicts, services such as transit, etc) 49.

4 Numbers in each of the following regions of the province: north 22; east 9; southeast 39; southwest 26; central 97.

HOSPITAL SERVICES

135 Mr Reville: Will the Minister of Health table the complete text of the Suttie report on hospital utilization? [Tabled 9 May 1989]

See sessional paper 57.

PUBLIC SECTOR PURCHASING CONFERENCE

155 Mr J. M. Johnson: Would the Minister of Government Services state what contributions his ministry made to the special conference held in North Bay on 3 April 1989 which was designed to advise area businesses how best to sell to governments? [Tabled 11 May 1989]

Hon Mr Fontaine: The Ministry of Northern Development and Mines is participating in a series of public sector purchasing conferences. The purpose of these conferences is to inform

northern Ontario suppliers of goods and services of the business opportunities with the province, the federal government, municipalities and agencies such as Ontario Hydro and Ontario Northland Transportation Corp.

The MNDM contribution to the conference held in North Bay on 3 April 1989 was \$2,252.30, which was a 50 per cent share of the cost of the conference.

156 Mr J. M. Johnson: Would the Minister of Government Services list which provincial government staff attended the North Bay conference, their job descriptions and salary ranges and their travel and transportation expenses for the conference? [Tabled 11 May 1989]

Hon Mr Fontaine: The attached chart provides a listing of provincial staff who attended the public sector purchasing conference held in North Bay on 3 April 1989 as well as their positions, salary ranges and their travel and transportation expenses for the conference.

Government employees who attended North Bay conference 3 April 1989

Name	Ministry	Position	Salary range	Expenses
William Lees	MNDM	Assistant deputy minister	\$90,000-100,000	\$575.00
Ron Grossutti	MNDM	Buy North co-ordinator	\$44,266-54,978	238.16
Jack May	MCS	Chief purchasing officer	\$28,335-33,069	525.39
Bob Cartwright	MTO	Director	\$63,650-95,450	471.06
W. H. Wilcox	MTO	Northern transp co-ordinator	\$47,757-60,053	123.67
Loraine Wright	MNR	Co-ordinator	\$38,607-46,461	281.46
Irma Bennett	MNR	Admin assistant	\$28,335-33,069	nil
Doug Brown	MGS	Manager	\$44,900-55,600	nil
Carl Alexander	MGS	Manager	\$38,349-44,501	nil
M. Robinson	MGS	Purchasing officer	\$30,259-34,257	nil
Russ Sawchuk	MIT	Director	\$52,625-76,300	145.00
Gary Elsey	MIT	Consultant	\$43,786-52,731	20.44

MINISTER'S TRIPS

164 Mr Sterling: Would the Minister of Industry, Trade and Technology provide this House with a list of every official trip taken outside the province in the last two years as well

as a brief explanation of the purpose of the trip? [Tabled 11 May 1989]

Hon Mr Kwinter: Since my appointment as Minister of Industry, Trade and Technology on 29 September 1987, the attached travel report contains the information as requested.

Ministry of Industry, Trade and Technology—travel information report

List of the minister's official trips outside of Ontario
Period from 29 September 1987 to 11 May 1989

Name	Date from	Date to	Destination(s)	Purpose of trip
Monte Kwinter	30 Sept 1987	2 Oct 1987	St. John's Newfoundland	Attend federal-provincial meeting of ministers responsible for science and technology

Name	Date from	Date to	Destination(s)	Purpose of trip
Monte Kwinter	5 Jan 1988	5 Jan 1988	Finlay/Ohio	Meeting with Cooper Tire's representatives to discuss the potential purchase of Firestone Hamilton plant
Monte Kwinter	21 Jan 1988	28 Feb 1988	London, Geneva Paris, Davos, India, Hong Kong, China and Tokyo	Attend World Economic Forum meeting and to promote Ontario trade in other regions
Monte Kwinter	23 March 1988	24 March 1988	Edmonton	Council of Science and Technology meeting
Monte Kwinter	13 April 1988	16 April 1988	Los Angeles	Attend Ontario week in LA and to meet with president of companies in the high-technology field
Monte Kwinter	5 May 1988	6 May 1988	New York	To meet with several New York business persons to promote Ontario trade and investment
Monte Kwinter	4 June 1988	12 June 1988	Milan, Rome	To examine the revised Italian economy and to assess the resulting opportunities for Ontario
Monte Kwinter	6 July 1988	7 July 1988	Quebec City	Federal-provincial-territorial conference on procurement (GATT)
Monte Kwinter	19 July 1988	9 August 1988	Bangkok/Thailand Pattaya, Malaysia Singapore, Hong Kong, Tokyo and Honolulu	To meet with business communities government representatives and Canadian representatives to promote trade and investment
Monte Kwinter	2 Sept 1988	14 Sept 1988	London/England Stockholm/Sweden Helsinki/Finland	Ministerial to Farnborough Air Show and official visit to Finland
Monte Kwinter	18 Sept 1988	19 Sept 1988	Saint John New Brunswick	Federal-provincial-territorial meeting of ministers on Barriers to International Trade
Monte Kwinter	30 Nov 1988	2 Dec 1988	Atlanta, Orlando USA	To meet with Canadian/American business persons to promote Ontario trade and investment
Monte Kwinter	4 Dec 1988	7 Dec 1988	Montreal/Quebec	International ministerial meeting for multilateral trade negotiations (GATT)
Monte Kwinter	26 Jan 1989	31 Jan 1989	Zurich/Switzerland	To participate in the World Economic Forum, Davos
Monte Kwinter	9 Feb 1989	24 Feb 1989	Bombay, Madras, Calcutta, Delhi/India	To open MITT Ontario office and attend the 8th Engineering Trade Fair in New Delhi and to meet Indian business and government officials to promote business collaboration
Monte Kwinter	1 Apr 1989	8 Apr 1989	Paris/France Frankfurt, Hanover/Germany	Trade and investment mission to France; attend Hanover Fair in Germany

165 Mr Sterling: Would the Minister of Industry, Trade and Technology state the names, job titles and salary ranges for each of his ministry's staff who accompanied him on official trips outside the province in the last two years? [Tabled 11 May 1989]

Hon Mr Kwinter: Since my appointment as Minister of Industry, Trade and Technology on 29 September 1987, the following are ministry staff who accompanied me on official trips outside the province from this date to 11 May 1989: Richard Howard, senior representative, Frankfurt, West Germany, \$43,719-60,966;

Tom Wells, agent general, United Kingdom, \$70,025-105,025.

INTERIM ANSWER

70 Mr Villeneuve—Hon Mr Riddell: Preliminary financial information is not available at this time. I expect this information to be available on or about 30 June 1989.

RESPONSES TO PETITIONS

WORKERS' COMPENSATION

Sessional paper P-7, re workers' compensation.

Hon Mr Sorbara: Bill 162, An Act to amend the Workers' Compensation Act, will result in significant improvements in the Ontario workers' compensation system. The bill does respond to the recent Task Force Report on the Workers' Compensation Board Vocational Rehabilitation Services by providing for timely and effective rehabilitation services. The re-employment obligations placed on employers will assist many more workers return to work more quickly.

The bill also provides for a new dual award approach to compensating injured workers for the impact of a permanent disability resulting from a workplace accident. In addition, the bill makes provision for supplementary benefits for those current recipients of permanent disability awards who are not being compensated adequately.

The bill has already received second reading and has been sent to the standing committee on resources development for its consideration. That consideration is now in process and should be allowed to continue.

LOTTERY PROFITS

Sessional paper P-13, re Ontario Lottery Corp.

Hon R. F. Nixon: It is not the practice of the provincial government to guarantee minimum funding levels for particular programs. The distribution of lottery proceeds among dedicated programs is determined through the normal allocations process. Parliamentary practice is for the Legislature to approve the funding of each and every government program through the annual estimates debates.

Bill 119 proposes to allocate lottery funds to traditional recipients and the Ontario Trillium Foundation first, with residual lottery revenues in a given year made available to help fund the operation of hospitals. The proposed amendment will also retroactively apply and treat the unspent notional balance from Ontario lottery games prior to 1 April 1988 against the 1988-89 appropriation for the operation of hospitals.

Only a small portion of the province's funding for the culture and recreation sectors is derived from lottery proceeds. Substantial additional support is provided through the operating budgets of the ministries of Citizenship, Culture and Communications and Tourism and Recreation.

ALPHABETICAL LIST OF MEMBERS*

(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

-
- Adams, Peter (Peterborough L)
 Allen, Richard (Hamilton West NDP)
 Ballinger, William G. (Durham-York L)
 Beer, Charles (York North L)
 Black, Kenneth H. (Muskoka-Georgian Bay L)
 Bossy, Maurice L. (Chatham-Kent L)
Bradley, Hon James J., Minister of the Environment (St Catharines L)
 Brandt, Andrew S. (Sarnia PC)
 Breaugh, Michael J. (Oshawa NDP)
 Brown, Michael A. (Algoma-Manitoulin L)
 Bryden, Marion (Beaches-Woodbine NDP)
 Callahan, Robert V. (Brampton South L)
 Campbell, Sterling (Sudbury L)
Caplan, Hon Elinor, Minister of Health (Orillia L)
 Carrothers, Douglas A. (Oakville South L)
 Charlton, Brian A. (Hamilton Mountain NDP)
 Chiarelli, Robert (Ottawa West L)
 Cleary, John C. (Cornwall L)
 Collins, Shirley (Wentworth East L)
Conway, Hon Sean G., Minister of Mines (Renfrew North L)
 Cooke, David R. (Kitchener L)
 Cooke, David S. (Windsor-Riverside NDP)
 Cordiano, Joseph (Lawrence L)
 Cousens, W. Donald (Markham PC)
 Cunningham, Dianne E. (London North PC)
 Cureatz, Sam L. (Durham East PC)
Curling, Hon Alvin, Minister of Skills Development (Scarborough North L)
 Daigeler, Hans (Nepean L)
 Dietsch, Michael M. (St Catharines-Brock L)
Eakins, Hon John F., Minister of Municipal Affairs (Victoria-Haliburton L)
Edighoffer, Hon Hugh A., Speaker (Perth L)
 Elliot, R. Walter (Halton North L)
Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)
 Epp, Herbert A. (Waterloo North L)
 Eves, Ernie L. (Parry Sound PC)
 Farnan, Michael (Cambridge NDP)
 Faubert, Frank (Scarborough-Ellesmere L)
 Fawcett, Joan M. (Northumberland L)
 Ferraro, Rick E. (Guelph L)
 Fleet, David (High Park-Swansea L)
Fontaine, Hon René, Minister of Northern Development (Cochrane North L)
Fulton, Hon Ed, Minister of Transportation (Scarborough East L)
 Furlong, Allan W. (Durham Centre L)
Grandmaitre, Hon Bernard C., Minister of Revenue (Ottawa East L)
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)
 Haggerty, Ray (Niagara South L)
 Hampton, Howard (Rainy River NDP)
 Harris, Michael D. (Nipissing PC)
 Hart, Christine E. (York East L)
 Henderson, D. James (Etobicoke-Humber L)
Hošek, Hon Chaviva, Minister of Housing (Oakwood L)
 Jackson, Cameron (Burlington South PC)
 Johnson, Jack (Wellington PC)
 Johnston, Richard F. (Scarborough West NDP)
 Kanter, Ron (St Andrew-St Patrick L)
Kerrio, Hon Vincent G., Minister of Natural Resources (Niagara Falls L)
 Keyes, Kenneth A. (Kingston and The Islands L)
 Kormos, Peter (Welland-Thorold NDP)
 Kozyra, Taras B. (Port Arthur L)
Kwinter, Hon Monte, Minister of Industry, Trade and Technology (Wilson Heights L)
 Laughren, Floyd (Nickel Belt NDP)
 LeBourdais, Linda (Etobicoke West L)
 Leone, Laureano (Downsview L)
 Lipsett, Ron (Grey L)
 Lupusella, Tony (Dovercourt L)
 MacDonald, Keith (Prince Edward-Lennox L)
 Mackenzie, Bob (Hamilton East NDP)
 Mahoney, Steven W. (Mississauga West L)
Mancini, Hon Remo, Minister without Portfolio (Essex South L)
 Marland, Margaret (Mississauga South PC)
 Martel, Shelley (Sudbury East NDP)
 Matrundola, Gino (Willowdale L)
 McCague, George R. (Simcoe West PC)
 McClelland, Carman (Brampton North L)
 McGuigan, James F. (Essex-Kent L)
 McGuinty, Dalton J. (Ottawa South L)
 McLean, Allan K. (Simcoe East PC)
McLeod, Hon Lyn, Minister of Colleges and Universities (Fort William L)
 Miclash, Frank (Kenora L)

Miller, Gordon I. (Norfolk L)
 Morin, Gilles E. (Carleton East L)
 Morin-Strom, Karl E. (Sault Ste Marie NDP)
 Neumann, David E. (Brantford L)
 Nicholas, Cindy (Scarborough Centre L)
 Nixon, J. Bradford (York Mills L)
Nixon, Hon Robert F., Deputy Premier and Treasurer of Ontario and Minister of Economics (Brant-Haldimand L)
Oddie Munro, Hon Lily, Minister of Culture and Communications (Hamilton Centre L)
 Offer, Steven (Mississauga North L)
O'Neil, Hon Hugh P., Minister of Tourism and Recreation (Quinte L)
 O'Neill, Yvonne (Ottawa-Rideau L)
 Owen, Bruce (Simcoe Centre L)
Patten, Hon Richard, Minister of Government Services (Ottawa Centre L)
 Pelissero, Harry E. (Lincoln L)
Peterson, Hon David R., Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)
 Philip, Ed (Etobicoke-Rexdale NDP)
Phillips, Hon Gerry, Minister of Citizenship (Scarborough-Agincourt L)
 Poirier, Jean, Deputy Speaker and Chairman of the Committees of the Whole House (Prescott and Russell L)
 Pollock, Jim (Hastings-Peterborough PC)
 Polsinelli, Claudio (Yorkview L)
 Poole, Dianne (Eglinton L)
 Pope, Alan W. (Cochrane South PC)
 Pouliot, Gilles (Lake Nipigon NDP)
 Rae, Bob (York South NDP)
Ramsay, Hon David, Minister of Correctional Services (Timiskaming L)
 Ray, Michael C., Deputy Chairman of the Committees of the Whole House (Windsor-Walkerville L)
 Reville, David (Riverdale NDP)
 Reycraft, Douglas R. (Middlesex L)

Riddell, Hon Jack, Minister of Agriculture and Food (Huron L)
 Roberts, Marietta L. D. (Elgin L)
 Runciman, Robert W. (Leeds-Grenville PC)
 Ruprecht, Tony (Parkdale L)
Scott, Hon Ian G., Attorney General and acting Solicitor General and minister responsible for native affairs (St George-St David L)
 Smith, David W. (Lambton L)
 Smith, E. Joan, (London South L)
 Sola, John (Mississauga East L)
Sorbara, Hon Gregory S., Minister of Labour (York Centre L)
 South, Larry (Frontenac-Addington L)
 Sterling, Norman W. (Carleton PC)
 Stoner, Norah (Durham West L)
 Sullivan, Barbara (Halton Centre L)
Sweeney, Hon John, Minister of Community and Social Services (Kitchener-Wilmot L)
 Tatham, Charlie (Oxford L)
 Velshi, Murad (Don Mills L)
 Villeneuve, Noble (Stormont, Dundas and Glengarry PC)
Ward, Hon Christopher C., Minister of Education (Wentworth North L)
 Wildman, Bud (Algoma NDP)
Wilson, Hon Mavis, Minister without Portfolio (Dufferin-Peel L)
 Wiseman, Douglas J. (Lanark-Renfrew PC)
Wong, Hon Robert C., Minister of Energy (Fort York L)
Wrye, Hon William, Minister of Consumer and Commercial Relations (Windsor-Sandwich L)

*The alphabetical list of members appears in each issue. Lists of the members of the executive council, parliamentary assistants and members of committees, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

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Hansard

Official Report of Debates

Legislative Assembly of Ontario



Second Session, 34th Parliament

Thursday 22 June 1989

Speaker: Honourable Hugh A. Edighoffer

Clerk of the House: Claude L. DesRosiers

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Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 22 June 1989

The House met at 1000.

Prayers.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

EAST METRO TRANSPORTATION

Mr Cousens moved resolution 12:

That, in the opinion of this House, recognizing the negative environmental impact that the proposed east Metro transportation corridor may have on the Rouge River Valley system, the government of Ontario and, in particular, the Ministry of Transportation should conduct a detailed study in conjunction with Metro Toronto, the city of Scarborough, the town of Markham and the region of York, to determine an appropriate east Metro transportation strategy whereby transportation needs for the greater Toronto area and environmental concerns are not mutually exclusive.

The Deputy Speaker: Mr Cousens has moved a resolution standing in his name. The member has up to 20 minutes to make his presentation and may reserve any portion of that for the windup.

Mr Cousens: I am pleased to have this opportunity to have debated in this Legislature a matter that is increasingly important, and that is the environmental concerns of people around the Rouge River Valley system as well as the needs of those who are commuters or will be commuters coming in and out of the greater Toronto area.

I see in this resolution a need to re-evaluate the possible transportation corridors that link up the north and south with Metro Toronto. I believe that there is a need to appreciate a balance where those of us who live in these areas can act locally and yet think globally, having the long-term interests of our community and society at heart.

I believe as well that we all must be environmentally conscious. It is a time in which people today have put a stake in the ground and more and more people are showing a genuine, sincere interest in the environmental concerns of our society. I guess one of the reasons for that is this book, *Our Common Future*, by the Brundtland commission. I have read it and I hope more

and more people will read it. We are not concerned just with what is happening in Brazil and other parts of the world. We have a chance to do something within our own community and so that must be.

There is a problem right now. Several years ago several alignments were set aside and identified as north-south transportation corridors. Only one of those alignments has been protected and that is the present one that is on the map just to the west of the Rouge Valley system. It would be wrong for us to say that there is going to be an environmental assessment on this one route.

If you have just one option on which you are going to have an assessment, that is just an impact study as to what is going to happen if and when a transportation corridor is constructed there. If we act quickly and intelligently, I think we are faced today with an opportunity to come up with a long-term solution to the needs for our society and for people and also for the environment.

If we are left with only the one option, where there is one road that has been set aside by the Ministry of Transportation—and that is going to be the north-south corridor between York region and Durham into Metro Toronto—I believe that this is a mistake. Such an impact analysis does not begin to live up to the potential possibilities that would come out of an environmental assessment whereby we would look at a number of different options. There is more than a subtle difference between environmental assessment and impact analysis.

In order to address and resolve the concerns behind this great subject, I believe that time is our number one enemy. There are many pressures that are being brought to bear on the east part of the greater Toronto area. There is no doubt that tremendous new plans are taking place, not only in Scarborough but also north and east of Scarborough in the Seaton community.

The growth that is going to take place in the east end of Markham is just going to add to the already serious problems of getting people in and out of the greater Toronto area. We are faced with the possibility that the Ministry of Housing could well be coming forward with proposals for

a housing development on the Rouge Valley system. We are faced with garbage dumps and landfill sites that are coming into the Rouge system as well.

We have an opportunity to go with the federal government and have a heritage park designation in the Rouge River Valley system, yet I fear what is going to happen is that the provincial government of David Peterson will postpone making any decision about a heritage park until there is an election. That is going to be one of the first plums he throws out to the people of the greater Toronto area.

Mr Faubert: What a great announcement.

Mr Cousens: Yes, but make it now and start planning around it, rather than just using politics for the sake of getting votes. I think it is time for this government to give leadership and not just be in a mode that says, "We are going to try to buy you."

I also believe there are problems and pressures at this point that have to do with the planning that is going on in the Markham area and York region as to what is going on in Scarborough. The alignment of the roads that are being built and planned in one community should somehow link up with the other.

1010

If we do not do something that is wise and good now, we are going to be faced with Fulton's Freeway coming right up through the centre of the Rouge Valley system. It is going to be the option where he says, "Hey, I was left with no other choice." I am saying now that we have options open to us if we consider seriously some of the benefits of having the study that I am proposing.

Good planning processes would mean that we are looking at the long term. So often, we are in a reaction mode. Planning departments and communities sometimes get the title that they are just reaction departments. Instead of being development-led, I want to have it led by the people and by people in politics who are really concerned, not only with 10, 20 and 30 years down the road, but with 100, 200 and 300 years down the road, where we are able to learn from our past mistakes and not just allow to happen in the Rouge Valley system what has already happened in the Don and the Humber.

Let's take ownership of our future by becoming involved now in a very sincere and honest way, where we can put environmental concerns in balance and harmony with the needs of people. I think a good planning process begins, first of all, with a commitment to the future and the long

term. That would be one of the first criteria I would like to see addressed.

I would also like to see us have a basic understanding of environmental land use, where we can take into consideration the needs of society, where we are understanding of the opportunities that exist within the eastern part of the Metro Toronto area, but also of the constraints. Some areas are more fragile than others. Let's not just work in isolation. There are many things that have to be considered, not only the movement of people but also the preservation of a very beautiful natural park.

A good planning process should also assess and analyse all the options and alternatives that are open to us: what is going to have the least impact; what is going to do the greatest amount of good.

I think we have to recognize that there is no perfect route to link up Metro and the eastern and southern parts of York region. There will be tradeoffs. There are going to be extreme points of view. Some people will say: "Hey, we do not need the car. Let's just get other ways of transportation." Maybe we can have better commuter transit and better services, but the fact is that, through the study process that I am proposing, we would begin to screen out what is the best alternative.

What is needed right now more than anything, I believe, is a clean process that incorporates all that is good in an open, honest review of the options; where we have a proactive approach; where we incorporate all the benefits of what is now available through the Planning Act and the Environmental Assessment Act.

We can take and do both of the public review matters that come out of good planning and environmental assessment and begin that through this study. This study would begin to truly react to what we have called for in environmental planning and good planning. What we would then be in a position to do is understand the environmental impact and the land use impacts that are being affected.

Many questions will be answered. It would begin to allow the people who are running this province and running those communities to work together and come up with some long-term plans and strategies.

I know my own communities, the town of Markham and York region, are looking for a Markham bypass. I ask the question, where is that going to hook up? I do not think that has been resolved. Such a study as I have proposed would allow us to look at how we can best link up the

Markham bypass with areas that are south of Steeles Avenue.

What are the projected load figures for the traffic that is going to take place in the north-south corridors in east Metro Toronto and the greater Toronto area? I know that with the development of this plan in Seaton, Markham and parts of Scarborough, we are going to see increased traffic. Rather than react after the traffic has arrived, let's do it ahead of time.

Let's have some proactive planning that allows us to say: "Here is where the roads are going to go. This is how we are going to get the people in and out of the greater Toronto area." Then we have done something for the long term while at the same time protecting that which is valuable.

I would like to ask that we would begin to understand through such a study what are the alternatives to going through and around the Rouge. Are there some other routes that should be looked at that are farther east, and what can we do to begin now to plan those routes?

I am concerned as well with the Morningside connection. How is this going to be hooked up to the Markham bypass? I have mentioned that earlier, but I would like to know where the east Metro transportation corridor will go after all this is done. Where is it going to link up to?

I would like to know through such a study what the government's plans are for alternative transportation services. Will there be an expansion to GO Transit? Will there be expansion to public transit? How can we begin to make sure that we are moving people better than we are today?

It is just dreadful what people have to suffer through to get to their work in downtown Toronto or to go to a game or anything else. If we were in a position to be planning the future, as we have the option now, using time wisely we will be in a position to know that the future in Ontario is preserved by the kind of study and analysis we have begun.

I do not know, and maybe this study would begin to find out, how we would handle the traffic of people in and out of Seaton. I would like to know in such a study how the office of the greater Toronto authority will fit into this. Is the government going to impose a solution or is it going to allow the different communities and the people who are involved in those communities to help this government come up with a solution?

I do not know where this government stands. I do not think they know where they stand right now. But such a study as I am proposing would help all of us to work together in the best interests

of all the community, to develop a solution that does harmonize with the needs of the environment, with the needs of people and the needs of our whole community.

It would allow us to bring together the city of Scarborough, the town of Markham, Metro Toronto and the region of York, and under the auspices of the province we would begin to be able to have a much better idea of what all the options are that pertain to the movement and transportation of people on the east part of Metro Toronto.

If we just allow it to lapse and just allow it to happen, there is one line up through the map, just on the west side of the Rouge. It has been the only one that has been preserved after the study that was done a number of years ago. I would like to see us look at all of the options and do it in an honest and clear way. Let's allow it to happen now before it is too late. If we do not begin to react in an intelligent way, we are going to be forced to react to what development and everyone else has done around us.

We have a chance. We have a chance to be leaders; we have a chance to lead into the future in a wise way. I just hope that as we look at what is available there in the Rouge Valley system, we will consider that it is not just a small area that has no value. I have to say there is just tremendous value to be attained by retaining the beauty of the Rouge Valley system.

The water quality and the fish habitat are there. We also know that if the highways are allowed to drain into that river system, there will just be increased erosion and sedimentation. The water temperature changes. We know that the whole Rouge system is very susceptible to erosion problems. We also know that the East Metro transportation corridor across and adjacent to the lower Rouge River could jeopardize the plans of the Ministry of Natural Resources and Scarborough to enhance the Rouge's existing trout, bass and other game fish populations.

We also know that in the Rouge Valley system the proposed highway would have irreversible impact on the lower Morningside forest, the Finch meander forest, Milne's forest, Sewell's forest west and Sewell's forest east. Construction activity, with the salt spray, exhaust fumes, light and noise, would disturb the deer and the bird breeding areas, the wildlife habitat of these areas. We also know that it would disrupt the wildlife movement and we know that car exhaust emissions would degrade a beautiful stand of white pine that is there.

We are faced with noise pollution and light pollution. We are talking about the desecration of native Indian archaeological sites. I believe that the destruction of the Rouge would be compounded as one of the negative impacts of having a highway that can go right up through that area.

All I am asking for is that we take into account in a balanced way an understanding of the needs of environmental concerns which are very, very real; that instead of threatening those concerns and allowing them to be destroyed, we instead develop a strategy that has the long-term interests of that heritage park and also the needs of the community in harmony and balance.

We can do it, but let's not just do it by having some person who sits in an office and has never walked through the Rouge, has never come along and understood just how beautiful it is, come along and say: "Hey, that's where the road's going to go." It will not be an environmental assessment on what is happening. It will be an environmental impact on what is happening. It will not be something that really has the balance to what we want in our society.

We have a chance to do it right now. Let's hope that through good planning and a real sense of dedication to environmental concerns and the concerns of our community and our people, we will come up with a resolution that allows us all to be proud of what goes on in the east Metropolitan Toronto area.

Mr Speaker, I will reserve a few moments for a final comment.

1020

Mr McGuigan: I want to begin by commending the member for bringing forth this resolution. In this day of recognition of environmental impacts and recognition that in the past we have not done the forward planning that perhaps we should have done, I think his resolution is certainly in order and is one that should be carefully considered.

I guess I have to say at the outset that personally I am not going to support the resolution, not because I disagree at all with the content of it, but because the question in my mind is whether we lay down an extra level of bureaucracy and lay an extra layer of study. I have to point out at this time that one of the things the government is continually criticized about is the allegation that we study and study and do not do anything. I have some reservations in my mind whether bringing together a large group of people and conducting endless studies will resolve the problem.

I must confess that I have not had the experience the member has had in the area of transportation but one similar thing that comes to mind, and I have had considerable political experience in it, is a matter of trying to find systems of waste management and sites for waste management. In spite of all the studies and all the goodwill that we start out with, eventually we come to a position where a decision has to be made that is going to impact adversely, or at least is seen to impact adversely upon someone and that whole system breaks down.

But certainly from our government members' standpoint, I want to indicate that as far as the government is concerned, as always in private members' hour, they are quite free to vote as they wish.

I want to indicate that because of the discussions that have been taking place, the ministry, the Minister of the Environment (Mr Bradley) and the whole government are very much aware of the environmental concerns the member has brought out to try to save the natural features of the Rouge Valley. It is certainly something we ascribe to, but we believe the processes that are in place will do their job.

The minister has met and he will continue to meet continually with Scarborough and Metro officials. We also have people from the various ministries, such as the Ministry of Natural Resources and the Ministry of the Environment, meeting with each other. These are ongoing discussions.

The Save the Rouge Valley System and others have raised this issue to such a level that everyone, including the government, is very aware of the political issues. Believe me, we are prepared to keep a close eye on all aspects of any road work, and even more so perhaps in sensitive areas like the Rouge.

If we stop and think of the development of any city, they naturally pick out the more suitable sites to build the cities—the houses and the stores and the factories and so on—and they stay away from the river valleys. As the city spreads out and develops, it just becomes a natural corridor that has been left and suddenly the roadbuilders come along and decide: "Well, that's a beautiful corridor and an easy place. We don't have to buy buildings and move such things as churches, cemeteries and so on. So they naturally pick upon that area.

What am I saying is that the government is very well aware that roadbuilders choose the easy route and we are as much concerned about it as the member is.

A great deal has already been done through the Environmental Protection Act and the Environmental Assessment Act process. A thorough study is important. I question whether another bureaucratic group is needed or whether this would add an extra cog, extra time, to what is already a very heavy process.

I have to note in passing that the member has boasted, and I think quite justifiably, about how long and hard he fought for Highway 407. I am sure all of us would recall some of the criticisms we received from him about the delays. We are a bit concerned that the suggestions he is making today, while made for very good reasons, might also perhaps result in delays to that process.

It is unfortunate that through this whole process it is natural that the rhetoric has been raised to quite a high pitch of fever, and some of it is not altogether accurate. Some groups are saying this is a proposal for an eight-lane highway. I suppose members could project things into the future and say it could be a 20-lane highway. But surely by the time we reach those heights, we will have figured out other ways to move and transport people. Certainly, for the present time, all that is being considered is four lanes.

It has been alleged that the highway would go right through the valley. In fact, it is a bridge going over a very narrow section of the valley and it is in the west end, away from the most sensitive areas.

On the use of salt, of course, we all recognize the damaging effect the use of salt has upon vegetation. There have been court cases among some friends of mine in the fruit-growing industry where they have won cases against the use of salt because of the damage to their orchards. The minister has always said the most environmentally safe method at the time will be used to clear the roads in environmentally sensitive areas. One can perhaps think of a greater patrolling with trucks that physically remove the snow and the ice. Also, there are chemicals today that while quite expensive, could be used in small areas that are environmentally sensitive. So I think the argument about salt is probably not a very strong one.

Already, there are 29 incursions into the valley, including the busiest routes of Canadian National Railway and CP Rail. Three environmental effects and impacts have to be recognized and considered. Some may have been mistakes. I suppose this government is not immune from making mistakes, but certainly from what we have learned in the past and with the processes

we have in place, we are trying as best we can, as best as any humans can, to look into the future to try to avoid mistakes, by continuous consultation, study, concern and awareness of the environmental issues, and by the sensitivity that is displayed daily by the Premier (Mr Peterson), the Minister of the Environment, the Minister of Transportation (Mr Fulton) and the entire policy direction.

In the few moments I have for closing, I would just like to wrap up by saying we do not feel the member is suggesting a policy we oppose with all our political force and all our political might. But we certainly do want to lay upon the table the question of whether the process he is suggesting is really in the best interests of trying to solve what is a very sensitive and very important issue.

1030

Ms Bryden: I am going to support the motion in Orders and Notices of the member for Markham (Mr Cousens). I think it is high time we had a re-evaluation of what is known as the east Metro transportation corridor. Actually, it dates back a number of years and was first proposed for original reasons that are no longer relevant. This is the first reason it must be re-evaluated.

It is argued that it would relieve traffic congestion between Highway 407 and Highway 401, but it would actually create traffic; it would attract traffic into the area. The proposal is another example of the Minister of Transportation pushing forward outdated projects where circumstances have radically changed. It is another example of transportation and traffic taking precedence over the environment. It is another example of the refusal to listen to people who say we must preserve a unique wilderness area.

The Save the Rouge Valley System group has been telling us for 10 years how unique this area is. I recognize that the east Metro transportation corridor only touches a small part of the Rouge Valley, but it goes through the whole Rouge River system to the east and to the west, and that must also be preserved if you are going to preserve the valley itself.

The Save the Rouge Valley System group has pointed out that this area contains the last of the Carolinian forest stands, which were the original trees that were growing in this country when the white man moved in. I think the native people were here when they were growing. The Save the Rouge Valley System group has also pointed out that there are unique flora, fauna and wildlife habitats in this area. There is a last opportunity for people in the greater Metro area to enjoy a

wilderness experience in an area where sports fishing is still possible. The river is clean enough for that. It is an area where they can get away from the congestion, fumes and pollution in the Metro area.

It is another example of the fact that we do not have a proper environmental rights act in this province. I myself have introduced one and the member for Etobicoke-Lakeshore (Mrs Grier) has also introduced one, but both times the governments in power have turned them down. If we had such a law, as they do in the United States, the residents or the persons who feel they are losing their environmental rights could take the minister to court and he would have to prove he has not violated their rights.

We actually had one minister of highways in the previous Conservative government who ignored the requirement for an environmental assessment on a highway and had to pay a fine. Now we do have fairly close conforming to environmental assessment needs, but I think a full environmental assessment of this project, and I mean a full one where alternatives would be considered, would show that this is not a proper use of the area for the kind of transportation that is envisaged.

The possibilities that have been proposed, I think, are very worth while considering and that is another reason why we must have a study. It could be either a provincial or a federal park. Most of the land is provincially owned or owned by provincial agencies such as Ontario Hydro and the Metropolitan Toronto and Region Conservation Authority. It could be a Canadian heritage park, which is a federal park classification. This kind of park was recommended for the area by the federal Department of the Environment's Task Force on Park Establishment. It could be a joint federal-provincial park. All of those alternatives must be considered before we allow this kind of intrusion into a very sensitive area.

I think we also must remember that this kind of area is not suitable for the development of estate mansions, huge houses of \$1 million and more. It seems to me that with this shortage of affordable housing, we must see that all our housing resources go to developing affordable housing in areas where there are no flood plain hazards, of course, and no other hazards, but also preserve a unique and very much needed protected area for the residents of the surrounding area.

I hope that is not what the minister has in mind when he proposes to build this kind of transportation corridor. It is true he may be talking about

only a four-lane highway at the moment, but I should point out to him that the Scarborough city council just this last year voted to take the east Metro transportation corridor out of the official plan. Its planner, Ed Watkins, stated that the upgrading of existing arterial roads such as Neilson Road, Markham Road and Morningside Avenue would suffice for any traffic demands in this area. The traffic volume did not justify the highway.

The Minister of Transportation voted against the original plan when he was on Scarborough council, before he came into the Legislature. I would like to ask him to tell us why he has changed his mind and is thinking of an eight-lane highway through the tablelands surrounding the Rouge Valley.

It is possible to make the connection between Highway 401 and Highway 407, which is to be built where Highway 7 now is, farther east. It is true it may require a few more kilometres of travel, but it would save a very important area and would direct traffic away from this very sensitive area. That is another important aspect that must be studied: the possibility of rerouting the traffic.

I really think the Minister of Transportation should be on the hook to justify to us the reason he is pushing forward an outdated idea and an idea that will do great damage to our environment and our unique area in this community. I think future generations will hold him up to contempt if he goes ahead with this plan.

There are important archaeological locations in the whole Rouge River Valley, not just in the valley itself but in some of the other areas to the north and the south. Some of them are Indian villages, unique records from our past, and those must be preserved. This highway will not make it easy for people either to take part in the digs that will be necessary or to go and visit the results when they find this unique part of our heritage. For all those reasons, the Minister of Transportation must justify why he wants to do what is really a gross intrusion into our environment.

1040

Mrs Marland: It is with pleasure that I rise this morning to support the resolution of my colleague and friend the member for Markham, recognizing that he obviously has, unfortunately, more foresight than the current Liberal government, because if that were not the case, this resolution, which basically is a commonsense resolution, would not even be necessary.

He is simply asking that alternatives be looked at to handle the future traffic needs of this large

Metropolitan Toronto area, obviously, where he is stating in his resolution:

"That, in the opinion of this House, recognizing the negative environmental impact that the proposed east Metro transportation corridor may have on the Rouge River Valley system, the government of Ontario and in particular, the Ministry of Transportation, should conduct a detailed study, in conjunction with Metro Toronto, the city of Scarborough, the town of Markham and the region of York, to determine an appropriate east Metro transportation strategy whereby transportation needs for the greater Toronto area and environmental concerns are not mutually exclusive."

The most important aspect of this resolution is that this government has really demonstrated in its four years its lack of ability to make a decision. The fact is that the direction of growth and development around the greater Toronto area has changed quite radically since this original transportation corridor was considered, and I must say there are a number of areas in the last four years that the people of Ontario recognize the current Liberal government is unable to make decisions on.

How ironic that here is a decision that has already been made for them. The fact is that the people of Ontario own almost 90 per cent of the lands that are under discussion. The Rouge River Valley is in public ownership, to the greatest percentage.

Mr Faubert: The top of the tablelands isn't.

Mrs Marland: Excuse me. Mr Faubert, you will have your chance to speak and I object to your interrupting me.

Mr Faubert: On a point of order, Mr Speaker: According to the standing orders, you address by riding, not—

Mrs Marland: No, you are not going to interrupt me on a point of order, because you are down to speak and I think it is—

The Deputy Speaker: Order, please. There will be no interjections. Only one member at a time will have the floor and the only member who has the floor right now is the member for Mississauga South, who may proceed in peace and quiet from the other members.

Mr Faubert: She's statistically inaccurate; grossly inaccurate.

Mrs Marland: I say to the member for Scarborough-Ellesmere that I really think that is small-minded of you, because you are down to speak this morning. You are going to have your opportunity, but you cannot tolerate hearing the

truth. You obviously cannot even tolerate hearing your own name in the record.

The Deputy Speaker: Order, please.

Mrs Marland: Obviously I am touching some sore points, so you cannot wait to get up to speak.

The Deputy Speaker: Order, please.

Mrs Marland: But in any case, I guess I will have my opportunity to interrupt that member when he is speaking—

The Deputy Speaker: And you will address your remarks through the Speaker, of course.

Mrs Marland: —except I probably have more class than he does. This member was a member of Scarborough council, the same council which has voted very strongly in the affirmative—in fact, a vote of 16 to 1—to preserve the Rouge Valley as a recreational area.

It is really interesting when we have the current Liberal government ministers stand in this House and answer questions. I may say that a number of those questions have been mine, to the Minister of Government Services (Mr Patten), the Minister of the Environment and the Minister of Transportation. Indeed, I have asked the Premier the same question: Will this Liberal government agree to preserve the Rouge River Valley and the tablelands?

Mr Furlong: What were the answers?

Mrs Marland: Always, the answers have been, "We have no intention of destroying the Rouge River Valley."

Where the tablelands extend to is always part of the debate. In fact, I have had a minister in this House answer questions on the Rouge Valley and he has not even been there. He has not even visited it. How anyone can discuss the necessity of preserving the Rouge Valley without having been there is amazing to me. Anyone who would ever consider destroying this natural preserve without having been there, in my opinion is totally irresponsible.

Bearing in mind that the Premier himself has assured me that the Rouge River Valley and the surrounding tablelands will be preserved, having been told that in this House, it is probably amazing that we even have to stand here this morning and discuss this resolution.

I think what is happening is that we again have this Liberal government on the ropes of indecision. They say what they want to say when they are campaigning. When they are making promises, it is one picture. When it comes to making a very real decision, then they get to the point where they simply back off and will not give a definitive answer.

If I may quote for a moment from a Toronto Star editorial of 22 April 1989, it says, "Premier David Peterson should pay careful attention to today's 'preservation' rally in Scarborough's Rouge Valley, especially since his government alone holds the key to the area's future." I would hope that his government, and particularly the member for Scarborough-Ellesmere, will represent the wishes of his people and stand in this House this morning and speak on behalf of his people to preserve this area.

This area will not be preserved if we have a major transportation corridor permitted through it. As my colleague the member for Markham so rightly says, we cannot allow one proposal to go to the Environmental Assessment Board without other alternatives being presented.

It is very funny how the games and the rules change. I will tell the member for Markham that the region of Peel established a location for its landfill site, and because it had only one location it was not allowed to go forward to the Environmental Assessment Board; it had to have other alternatives. How interesting that in this game now, where we are dealing with this subject, the fact of the matter is that it may go forward without the other alternatives for which the member's resolution is asking.

I think it is terribly important to recognize that the federal government has made its commitment to save the Rouge River Valley by an allocation of \$10 million. That promise was made before the election last November, and it has been reconfirmed since the election of last November that they will commit \$10 million to preserving the Rouge.

The other fact is that this land, because it has already been decided that it should be preserved, should not even really be up for discussion.

1050

In closing, I want to quote what the Save the Rouge Valley System publication says. It says, "In October 1988, Ed Fulton, the minister responsible for the proposed east Metro highway, said, 'The province is not looking to run bulldozers in and destroy the place.'"

Having heard the member for Essex-Kent (Mr McGuigan) this morning say that this is indeed a very sensitive and important issue, I hope the Liberal government for once will be very sensitive to this important issue, vote in support of the resolution of my colleague the member for Markham and for once make a decision.

Mr Faubert: I am pleased to have the opportunity to speak on the resolution of the member for Markham regarding transportation in

the Rouge Valley, but I am sorry that the member for Mississauga South is so partisan that she actually is losing this resolution for the member. I think he probably will see the results of that when the vote comes.

Let me first state that the preservation of the Rouge Valley is of personal interest and importance to me, not only as a member of this Legislature but as a long-time resident of Scarborough. Frankly, there are many residents in my riding who are concerned about the preservation of the Rouge, but quite honestly I think the members have received very few direct requests, letters or inquiries related to this matter, because I think many people realize that this is not just a matter for Scarborough. It is a matter for all Ontario.

My affection for the area comes from personal experiences as well as sitting on Scarborough council and dealing with this over the years, because I have very fond memories of hot summer days—and I will not say how many years ago that was—spent with my grandfather, fishing the Rouge and hiking in the Rouge Valley.

If one knows where this is located in relation to Toronto, Scarborough and Metro Toronto, one knows that the Rouge Valley has been a much valued source of recreation for many residents of Metro Toronto. Indeed, that was the experience of my own family as it was growing up.

I can assure the member for Markham and all members of the Legislature that I would be opposed to any proposal, be it a dump, housing or a freeway, if it was shown that it violated directly this government's direction committed to preserving the Rouge Valley.

However, I am pleased to advise members of the House that this government has reiterated that it remains committed to preserving the Rouge Valley. Our Premier, in response to my question in this House on 26 January, stated that I could reassure my constituents of the government's "strong determination to preserve the Rouge."

Mrs Marland: The river, the valley, the tablelands, or just the Rouge?

Mr Faubert: Someone who is talking about lack of class should read the standing orders.

Over the months this determination for it has been backed by action. In fact, the provincial government has offered significant financial support for the preservation of the lands. I would suggest that the members listen very closely to this.

The Ontario government's province-wide commitment to preserving the Carolinian forests in Ontario resulted in \$2 million to fund studies,

which included the Rouge lands, where exists an excellent example of a Carolinian stand.

The Ministry of Government Services has provided funds in the amount of \$120,000 for a planning study of the area. The Ontario government transferred 276 acres of Rouge lands worth over \$828,000 to the conservation authorities. The Minister of Culture and Communications (Ms Oddie Munro), and I am happy to see the minister here today to hear this debate, recently funded a \$114,000 study of the archaeological resources of this area of northeast Scarborough.

This particular study resulted in the discovery of 40 new archaeological sites, bringing the number of such known sites in the Rouge now to 63. These are 63 Indian villages and campsites which were discovered, and some are so old they date back to 1000 BC. A Seneca Indian village also discovered in this study, which was earlier dated about 1650, is stated to be of international significance.

Not only is the Rouge Valley an area rich in archaeological and historical significance, but it is also an oasis in the urbanized community of Metropolitan Toronto, where families can go for relief from the fast pace of big-city life. A walk through this area at any time of year can be an escape from the stress of urban living.

Indeed, if there are any members of this Legislature who have yet to visit this or who are unfamiliar with the Rouge Valley—and I would suggest, after hearing some remarks today, that some members are actually unfamiliar with the valley and where it is even located—I would advise them to go out for themselves. I would even include the Premier in that invitation. They will be pleasantly surprised. I think they will find this is truly a miracle that this haven of natural beauty of environmental, historical and archaeological significance has survived the pressures of urban growth.

It is incumbent on all members of this Legislature to ensure that the Rouge Valley is fully protected and preserved in its natural state for future generations to experience and enjoy, and any alternative that would endanger the preservation of the Rouge would be clearly unacceptable.

However, as I mentioned previously, this is not the indication that has come from this government. Indeed, the opposite is true. The government is committed to saving the Rouge. It is committed to preserving it for future generations to enjoy. One way to accomplish this would be to designate it as a park, as suggested by many, including the member for Markham. But

this is not something that can be done overnight and the issue is far more complex than many members appear to realize.

First, there are a number of ministers who are involved in this. There are the ministries of Housing, Environment, Natural Resources, Transportation, Government Services and Treasury. The member for Markham is quite correct when he recognizes in his resolution that there is a necessity to consult the surrounding municipalities and regions. However, the one reality of consultation is the danger of becoming impatient with the process and acting unilaterally and that, interestingly enough, is what some members of this House appear to be calling for.

The region of Metro Toronto has yet to deal with this. It is very interesting; it has yet to deal with the resolution that was passed over two years ago by the city of Scarborough.

By the way, another determination in establishing a park in this area is the precise boundaries of the park proposals, which seem to be ignored by many. This park is not just in Scarborough; it encompasses three regions. It encompasses Metropolitan Toronto; it encompasses York; it goes all the way up beyond Bruce's Mill. It also affects the region of Durham, which unfortunately the member left out of his resolution.

He calls for a detailed study to determine the appropriate east Metro transportation strategy. However, I would suggest this is already taking place. The Ministry of Transportation is updating its information. It is updating amendments to official plans that lead to changes to project residential, commercial and industrial growth, which of course affects traffic volumes in all the affected regions. Interestingly enough, the city of Scarborough, which deleted the east Metro transportation corridor from its official plan in July 1988, should also bear some responsibility, because it has yet to suggest viable and effective alternatives.

Indeed, the government's consultative process extends beyond the resolution. It is not only consulting the regions of Metropolitan Toronto and York, the city of Scarborough and the town of Markham, but it is consulting the town of Pickering in the region of Durham East, which for some reason, as I mentioned, is an essential region to this resolution yet is left out of it.

I just would say that I am supporting the resolution. I believe it is important that all alternatives to the east Metro transportation corridor be fully considered, and it is also important to ensure that any alternatives chosen

be environmentally sensitive so as not to jeopardize the preservation of the Rouge Valley. In spite of the comments from the member for Mississauga South, I would urge all members present to adopt and support this resolution.

Mr Cousens: I would like to just thank other members in the House for participating in this debate. I am particularly grateful for the support of the member for Mississauga South who, at a meeting the other night, Hazel McCallion said is a true environmentalist.

One of the points the member for Mississauga South made is the problem that Mississauga got into with landfill sites, because it only proposed one site and not having alternative sites, there was not any success in its environmental assessment that allowed it to proceed with that site. I am seeing the same kind of problem here with the east Metro transportation corridor. There are no other options at present in the government's mind, and if we would begin to look at what those options could be we could begin to come up with a long-term strategy for transportation.

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I would also like to thank the honourable member for Beaches-Woodbine (Ms Bryden). I think the member made a number of excellent points in support of the full environmental assessment. I see this as something that could come through the study. There has to be that openness so that everybody who has any kind of concerns would be able to participate in it. Behind her suggestion is included the thinking that people from Durham and Pickering, and everyone else who has any kind of concern about this, would be part of it. So I thank her for that suggestion.

I also think the member for Beaches-Woodbine brings to the table a sense of the future when she says future generations will hold this present Minister of Transportation in contempt unless he comes along with some kind of alternate strategy, although he is a nice man. I believe he has a chance for leadership. The Fulton expressway will be coming ahead unless there is something to look at what options are available for our society.

I thank the member for Essex-Kent for his comments. He is always a gentleman, and although we differ on the end result of this one, I do know the concept behind my motion of having a study would allow the full Planning Act and Environmental Assessment Act processes to go to work, so that we would begin to see what the future holds for transportation in east Metro.

In answer to many of the questions I tried to raise earlier in my presentation, I do see it as a major challenge for us to plan into the far distant future, not just two, three or five years into it. This kind of study is the kind of thing that could come out with some options that would be available for the future.

I notice, on the one hand, my good friend the member for Essex-Kent is not in support of studies, and yet the member for Scarborough-Ellesmere is so proud of the fact that the Minister of Culture and Communications has just invested in other studies for archaeological sites.

I think studying, if it is done properly and correctly, can lead to a better future for all of us. It is not a matter of—and I do not think the member was doing this—just saying, “Don’t have studies.” This is an example where, if all the processes go to work and we get Durham, York and Metro in, everyone who is going to be partners to this, then along comes a long-term solution to it.

That is a study which can in fact lead to an implementation of a plan that gives the best solution to all. I know there is not a perfect solution. I wish there were. There is not right now, and so there are going to be tradeoffs. When we work this through we will begin to at least satisfy the needs of the greatest number and yet keep in balance the needs of the environment as well as the needs of society.

I thank the member for Scarborough-Ellesmere for his comments and for his support of this important plan. I know that he, like many others, has wandered through the Rouge Valley system and knows how important it is, and yet he also understands how complex this whole matter is. I am not satisfied that when the Premier said he was going to protect certain areas of the Rouge, he really had a full intent of doing that, because the Minister of Housing (Ms Hošek) continues to bear in mind that she might have a housing project and there is continued interest in having landfill sites.

Until we begin to make this a heritage park, we are not going to be able to really do what we want to do. The question is, where does the government stand and where do the people stand? Through this study, we will begin to know what is best for all.

REPRODUCTIVE TECHNOLOGY

Mrs Sullivan moved resolution 14:

That, in the opinion of this House, recognizing that the government of Canada has initiated a royal commission on reproductive technologies,

and that people in Ontario should be represented in the discussion of current and potential developments in the medical and scientific issues related to human fertilization and embryology, the government of Ontario should co-operate to the fullest extent, and should encourage participation with the royal commission by Ontario institutions which are engaged in the delivery of any aspect of reproductive technology in considering the social, ethical and legal implications of medical and scientific developments in this field, and to recommend policies and safeguards to address the issues raised by these developments.

The Acting Speaker (Mr M. C. Ray): The member is reminded she has up to 20 minutes for her presentation and may reserve any portion thereof for a windup.

Mrs Sullivan: For many people across Canada, the federal government's April throne speech carried welcome news. That was the announcement that a royal commission would be struck to examine reproductive technologies and the issues surrounding the high-technology reproduction of human life.

The calls for a royal commission came from a deep sense of unease that there is a serious lag between our social policy and our technology and that the gap is widening every moment. The fast pace of medical, scientific and technological developments in the new reproductive technologies has outstripped public debate and scrutiny on the issues. The complexity of the legal, moral and ethical questions increase with each scientific advance.

I believe Ontario has much to offer in assisting in the development and definition of a national consensus. We have highly skilled medical and scientific workers who are engaged daily in the practice and research associated with the new reproductive technologies. We have people, some parents and some not, who have participated in assisted parenthood programs. The sharing of their experiences would be of great value in the national dialogue.

We have ethicists who have examined the thrust of many of the moral choices surrounding the artificial creation of new life or the monitoring of new life. We have hospital committees which have developed standards of practice at our own institutions and which monitor new developments in the field. We have legal professionals who have examined the legal implications and interpretations from our own and other jurisdictions. We have articulate representation from organizations of women who

have carefully delineated our reproductive consciousness. We have a government which has already set an interministerial committee to work on the difficult public and social policy questions which surround the area.

In coming to terms with the very complicated issues before us, it is clear that there is no one single source on whom we can rely for answers. Alvin Toffler has summed up the need for a concerted public approach to the social construction of change in the biological and medical sciences. I would just like to quote from him: "The issues are far too important to be left to the decisions of judges, who may base them on obsolete precedent...biotechnology businessmen whose commercial instincts may override humane concern...specialists who may be too confident of the technologies over which they preside...or regulatory bureaucrats. Each may have a role to play, but no one group is wise enough, or selfless enough, to make decisions of this order."

A national dialogue is necessary and a national consensus is necessary. That is why I put forward this motion.

The new reproductive technologies may involve the creation of new life or they may be used to monitor new life. Many of them, such as artificial insemination, have been known for generations and are technically simple procedures. Others are new and require enormous skill and involve complicated procedures. Still others are techniques which have evolved from combinations of existing technologies.

Those which monitor new life may be most familiar to those of us who have borne children. Ultrasound, amniocentesis, foetal monitoring, chorionic villus biopsy, foetoscopy and in utero medical intervention are all medical devices that are not considered unusual today. Many of them carry risks for the pregnant woman and for the foetus. All of them are intrusive and cause discomfort for the pregnant woman. They can contribute to assuring that a healthy child is born or that appropriate medical actions are taken after birth so that the child can live.

Most pregnant women know these medical aids as tests. Few potential mothers refuse the tests, but fewer yet know the kinds of questions to ask about the necessity, risks, repercussions and choices that might lie ahead. Most women who are taking the tests are in high-risk pregnancies and hope becomes a great motivator. As well, medical practitioners, whether the family physician or the obstetrician, have an enormous personal stake—psychological, emo-

tional and professional in the delivery of a healthy child. They want to be able to use any medical and technological advantage available to them and to have a broad scope for making medical decisions from information that the technological advances provide.

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The tests place a heavy level of accountability on both the physician and the pregnant woman. They may lead to a requirement for decision-making that might not have been anticipated from lifestyle constraints to medical action. But many physicians, religious leaders, women and politicians are asking needed questions about the ramifications of diagnostic tests.

What do we know, by example, about the physical and mental development effects of foetal monitoring on the child? What do we know about the psychological effects of diagnostic testing on the mother? What support systems are or should be in place when parents must face the results of a so-called negative test?

Dr Bernard Dickens wrote in the December 1985 Canadian Forum an article that raised very serious questions, and I thought it was a thoughtful piece. The questions relate to the question of choice versus compulsion. I would like to put some of his observations before the House. He asks:

"Can we insist by law that women use available means of prenatal diagnosis for the sake of protecting their fetuses? One diagnostic method that has received a lot of attention since it was first introduced over a decade ago is amniocentesis. Amniocentesis is a medical technique for monitoring foetal development. The procedure, which involves inserting a tube into the abdomen of the pregnant woman, is known to be associated with a fairly low risk of injury to the woman and of spontaneous abortion. In safe hands, the risk is about one half a per cent; in less experienced hands perhaps one per cent. Nevertheless, there is still a risk.

"The question arises whether the woman has to be forced to endure that risk for the sake of a foetus that can be assisted following prenatal diagnosis. It could be this is something we would find offensive.

"Chorionic villus biopsy, a relatively new technique in which extra-embryonic material is tested, has a range of ethical and social considerations that differ somewhat from those associated with amniocentesis. Though it is invasive and uncomfortable, to date it appears relatively safe (we don't yet know the figures). It seems to be associated with a three to five per

cent rate of spontaneous abortion but we are not yet certain of cause and effect relationships; the women on whom it's done have a relatively high rate of spontaneous abortion anyway, and it's not clear whether the increased rate is triggered by the process.

"The risks of ultrasound imaging are as yet unknown. It seems not to be uncomfortable, but it may be too early to judge its safety.

"Foetoscopy is not too different from amniocentesis and is often used in conjunction with ultrasound, which aids precision of intrusion into the abdomen in both amniocentesis and foetoscopy.

"All of the above technologies, which may assist a foetus, carry with them certain discomforts and risks for the pregnant woman. By comparison, blood sampling seems innocuous, almost a paradigm minimal-risk medical procedure. If it's not invasive, if it's not uncomfortable and if it's not life-threatening, why not compel it to be done?

"The problem is that by making certain tests compulsory, society would be limiting women's autonomy, their choice not to have such a procedure done. On the other hand, since maternal serum screening is not unduly burdening to a woman, and could benefit the foetus she bears, to ask her to give a blood sample could well be part of a fairly routine, conscientious prenatal diagnosis. We have a number of tests that can detect prenatal genetic conditions in the developmental stages of the child growing in utero. They raise the question of what we may then do for the foetus, once having gained this knowledge.

"One option may be to do nothing, to let the child be born and then deal with the conditions the child has, knowing beforehand what to be ready for. There may be, for example, bowel obstructions that are not menacing to the child in utero, but ought to be dealt with quickly once the child is born. With the use of prenatal tests, one would be prepared for the condition.

"In some cases, the longer the pregnancy endures past viability, the worse it is for the child after birth. It may then be that inducing labour, inducing pre-term delivery, is appropriate for the foetus. But what about the woman? Must she endure induced labour or can she refuse it? Can she say, 'No, let nature take its course'? The mother may decide to give birth naturally, to place herself at the disposal of medicine, not to have things done to her that are unnatural, that wouldn't occur in the ordinary course of events.

"What about compelling a woman to have a caesarean delivery? This could be indicated in some cases. If a woman is affected by venereal disease, it could well be that to let the child be born through the birth canal in the ordinary way would have a damaging effect on the child, perhaps injuring sight and other senses. What about the conviction that the mother cannot give natural birth, or should not give natural birth, if the child might suffer stillbirth or injury?

"We now have the prospect of foetal surgery in which the abdomen of the woman is opened, the child made accessible and either treated in the uterus or, even, physically removed for treatment—for instance, reorganization of the limbs, insertion of shunts to drain accumulated fluid on the brain or perhaps to empty the bladder. Must a woman undergo foetal surgery? What of a woman who refuses? Can she be forced to accept it?"

Those are questions which cannot be left solely to the technologists and the medical practitioners. We must be asking them of ourselves.

For many people, creating and carrying a child to birth is difficult or impossible. Infertility caused by low sperm content, blocked fallopian tubes or whatever other reason occurs at an estimated rate of one in 10 people of childbearing age. We value parenting. We may overvalue, however, the reproductive capacity itself and the need for being a natural mother or father.

None the less, the new reproductive technologies have changed despair to hope for many people. What we do not know enough about is what happens to those people for whom the technology has not provided a solution when the very hope offered by technology is dashed.

The world's first test-tube baby is now 11 years old. The joy, the shock and the dismay which accompanied the birth of Louise Brown in England in 1978 has since been repeated about 3,000 times in many countries. What was then seen either as a miracle or as an aberration today does not even rate a headline.

In vitro fertilization may well be seen as glamorous or modern, but it is certainly not seen as new. It is but one of the technologies concerned with artificial reproduction, donor insemination, cryobanking of eggs and sperm, embryo freezing, storage and transfer, surrogate motherhood, in vitro and in vivo fertilization, cloning and parthenogenesis. These are some of the medical techniques of procreation into which the practice and research exists in Canada and is expanding.

The speed of technological advances and the refinements of existing technology which lead to such techniques as sex selection or selective reduction adds to the depth of issues and choices for which society must come to terms.

For many years, sperm collected from donor males has been frozen for later use in the process of artificial insemination. In February of this year, Chedoke McMaster Hospitals in Hamilton announced that they will operate Ontario's first anonymous egg donor program for infertile couples who want to become parents. It is the first female equivalent of the sperm bank, and while we have been accustomed to the anonymity of the biological father, this is the first time in Canada that the anonymity of the biological mother has been added to the legal and ethical question.

To questions which have been put about sperm donor programs, we now add those same questions about egg donor programs. What rights do children have to know about their genetic parent, their medical records, their physical and mental attributes? Should there be a register of donors accessible to the children? What right does the donor parent have to maintain anonymity? What is the legal status of the child of a gamete donation? What is the legal or ethical obligation of the donor biological parent to that child? What time limits ought we to place on the utilization of frozen eggs or sperm? Who owns the eggs or sperm? Who has the right to destroy them?

We have all seen the stories of happy couples, some of them Canadian, who are celebrating the birth of babies produced through in vitro fertilization. What we hear less of is how surprisingly unsuccessful the process is in producing live births. We hear far more about pregnancy rates from conception in vitro than birth rates.

In IVF the male sperm and a female egg are combined in a Petri dish and the fertilized egg implanted into the woman's womb, sometimes not the same woman who produced the eggs. To have greater assurance of a successful pregnancy, doctors fertilize as many eggs as possible from a woman who has been treated with hormones to superovulate.

The strategy is a practical one, but it presents many ethical dilemmas. When the embryos are not implanted, the storage of surplus embryos, the extent to which research can or should be conducted on them and indeed the question of ownership of the embryos can become problematic.

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When a number of embryos are implanted, however, multiple pregnancies can result. The technological catch-up, selective reduction, is sometimes used to prevent the loss of all fetuses in a multiple pregnancy, but because it is a medically and technically proven technique, it can be used to reduce the multiple pregnancy from twins to a single child as readily as from sextuplets to triplets.

The long-term effects of the fertility drugs themselves on mother and child are unknown. We do not know how many women are physiologically and psychologically damaged in the process of in vitro fertilization. We need parameters for the storage and destruction of embryos. We need to resolve questions relating to the status of children following embryo donation. We need to discuss time limits on the use of embryos in vitro for research and the bounds of that research. Is cloning acceptable to us? Is research directed towards overcoming physical or mental disabilities appropriate?

We should also be looking at the costs of these procedures. Should they be state-subsidized as they are in Ontario? If so, should they be universally available as a matter of right to women regardless of family or marital status? If not universally available, who should make the decision as to whether the procedure should be made available to a specific woman: a physician, a committee, a bureaucrat?

Further, at a time of pressure and change in our health care system, how much money and how many resources should be diverted to IVF technologies, which are accepted but are still, to the layman, experimental? How will we account for the volume of IVF activity, for its success and failure and for the researching process associated with the technology?

At a more basic level, we should be weighing the justification for exposing women and their possible future children to the risks of in vitro fertilization, particularly when the success rates, judged by live births, are variously reckoned at 10 per cent to 13 per cent. How will we make judgements about when to say yes and when to say no?

There are many more questions in the field of reproductive technologies. In the time available, I will not be able to pose questions about the debate over contractual versus natural rights in surrogate motherhood, of the development of reproductive services generally, including counselling, or of issues relating to sex selection. Those are the issues that I hope the royal

commission will have to tackle. It is difficult to frame legislation against fast-moving medical and scientific development. It is even more difficult when there is an evolving ethical perspective.

I believe Ontario has a singular role to play in considering the ethical, legal and social implications of the new reproductive technologies. We have much to offer in the discussion of the public policies and the safeguards which must be part of our national conscience. The mandate and the terms of reference of the royal commission have not yet been placed before the public. When they are, I believe that Ontario should play a full part in the deliberations.

Mr Reville: The member for Halton Centre (Mrs Sullivan) raises a large number of very important issues, reproductive issues, and of course I will be happy to support her resolution. It would be difficult not to support a resolution that suggests that we should co-operate with the royal commission on reproductive technology.

Our constituents are passionately interested in these kinds of issues, which are social, ethical, legal, medical and political. They are passionate issues, too, and it was with a bit of surprise that I listened to the member for Halton Centre's remarks, because they were delivered with about the same kind of passion that health classes used to be conducted by the football coach. I have memories of meaningless diagrams and a monotonous delivery out of which we got somewhat less than we might have.

There is no question that we must not leave these questions to the technologists, because they are questions that, in the end, are political questions.

The technology quite often develops in the absence of a comforting amount of scrutiny by ethicists, moralists and the public. Indeed, it is technically possible to clone various kinds of tissues. I, for one, would be very concerned if it were possible to clone Liberals. I would fear for our future if that ever were allowed to occur.

There are so many reproductive issues that it is not surprising that the member for Halton Centre had to talk about them so quickly to get them all into her 20 minutes. For instance, in the city of Sudbury, if you are interested in having vaginal delivery and you have already had a caesarean section, you have to leave Sudbury. This is a shocking situation.

The obstetricians in Sudbury do not believe in the V-back and will not perform it. There is a group of women who have all had C-sections, some of whom thought they should not have had

the initial C-section but that was convenient because of somebody's golf game, and then for ever afterwards they were going to have to have C-sections because they could not find an obstetrician who would do a V-back.

I think that is shocking and it indicates the kind of vise-like grip certain medical practices are allowed to have on the lives of people. I think that is wrong.

There are devastatingly difficult ethical questions about rent-a-womb and what we should do, as a society, about that and whether or not that creates an incentive to oppress vulnerable women. There are women who are economically disadvantaged, and one of the ways that they can get some money is to rent out their reproductive system to a couple with money who, regrettably, cannot have a child safely themselves.

I think those issues trouble us a great deal. It is right that we should be troubled about them because they are difficult but important questions.

A week or so ago, I was getting some heckles from over on the other side when I was talking about the length of the chancellor's foot. Nobody seemed to understand what I was talking about, which is not unusual.

Mr McGuigan: Sorry, I didn't. I wish you would explain it.

Mr Reville: Thank you very much. I knew you would understand.

I suggested that people should read a book. That was a bit cross of me. Picking up on the read-a-book theme, I suggest that if one book is all members can manage, they read this book. This is called *Second Opinion: What's Wrong with Canada's Health-Care System and How to Fix It*, by my friends Mike Rachlis and Carol Kushner, both of whom lived in Riverdale, of course, and both of whom are members of the New Democratic Party.

They have some interesting things to say about in vitro fertilization on page 74 under the title "Missing the Boat." What they have to say is, as the member for Halton Centre indicated, that in vitro fertilization is a very flashy, high-technology procedure which is not really successful. It works about 10 per cent of the time: one in 10.

Quoting Michele Landsberg, the authors point out the perspective of a patient who had gone through an IVF procedure as "A painful, protracted emotional rollercoaster, traumatic and chancy." One IVF candidate who, like the vast majority, failed to conceive, said, "The process gets us addicted to hope."

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Wanting to have a baby is so natural and human that obviously a society should move heaven and earth to see if the conditions could be created where people could have a baby; no question about that. But I think it is wrong to respond to despair with false hopes. It is not just a question of consumer protection. It is much more elemental than that.

If we buy a toaster and it does not pop up, we can go and buy another one and we have not lost very much. But if we are told that this technology will result in a live birth and in fact we know that it does not do that very often, then I think we have a different kind of problem and a problem that needs to be addressed.

One of the things that Kushner and Rachlis say in their book is that one of the most common causes of infertility is sexually transmitted disease. They point out the irony that it took the AIDS epidemic to get doctors to actually begin to recommend the use of condoms to people.

They also point out that pelvic inflammatory disease, which may result in blocked fallopian tubes, is very easy to detect and very easy to treat in its early stages, yet we do not have those preventive techniques in place. While we are busy talking about the wonders of technology, we are ignoring a much lower-tech process involving a swab. If we could get our practitioners and our public interested in preventive medicine, we could have these simple tests, we could treat pelvic inflammatory disease and similar diseases in their infancy and we would have much less infertility to deal with than we do currently.

I was astounded to know that 15 per cent of all women under the age of 30 will develop pelvic inflammatory disease, which is absolutely preventable. It is preventable using a diaphragm with spermicidal jelly. It is preventable using a condom. In fact, should those preventions not be used, it is detectable and treatable early and it can be cured early.

I think it is just another piece of evidence indicating that we have to focus much more strongly and energetically on prevention and that we all should understand our reproductive systems and those things that will attack them. We should be learning about that in a reasonable way when we are about the ages of those pages and before.

I suspect that a lot of the kind of education we are still getting in school is not particularly relevant. If you stay up late and watch *Talking Sex with Sue*, you will learn a heck of a lot more

than you learn in most schools, and I would recommend that to people who do not already watch that program.

I see that the time has elapsed. I will support the resolution. There are important questions to be dealt with, and I look forward to seeing the report of the royal commission when it is ready.

Mr Beer: I rise in support of my colleague's motion which is before us. I think in terms of many of the issues which she and our colleague the member for Riverdale (Mr Reville) raised, one recognizes that there are a great many issues raised by this whole question and how important it is that we in Ontario co-operate and have the opportunity of co-operating with the federal commission once it has been established.

It seems to me that we have here an issue that brings together some of the most difficult kinds of choices which we as a community have to make. On the one side, we have the rapid technological advances which have been made in the medical area, which open up all kinds of new vistas in terms of reproduction.

But each one of those raises so many fundamental, ethical, moral and religious problems and dilemmas that we risk having technological change move so quickly that we will lose control over how we bring to bear those kinds of values that we think are important to us as a society in terms of this whole issue and how we want to see relationships between men and women and among families set out in not only a legal context but I think with a very clear sense of where we wish to head ethically and morally.

The only way that we are going to be able to bring together a consensus among Canadians is to ensure, as my colleague the member for Halton Centre said, that this discussion is not left just to those who have some specialty, be it medical or legal. We really need to involve all elements of our community, not just the medical profession, the legal profession, the bureaucrats or the politicians.

It may be of interest to some to note that four years ago, the Ontario Law Reform Commission came out with a two-volume report on human artificial reproduction and related matters. It is interesting to have a look at some of their recommendations in the context of this issue and where we should be going. Many of the issues which they raised and which have been raised in the House this morning need to be looked at in a much more public way.

Professor Jacques Testard, who was the head of the team responsible in France for their first test-tube baby, as we refer to it, left his work and

called for a moratorium on in vitro research to get his message across. He said: "Let's stop pretending that all research is neutral, that only its applications can be called good or bad. Ethical choices must be made before and not after discoveries." In effect, he put his job on the line and lost it, but he wanted to try to underline how important it is that we, as people, in our various countries and communities deal very specifically with this issue.

When we start to identify what the issues are, the other thing that emerges is the difficulty we have in even beginning to determine what kinds of questions we need to ask. We know that at the present time, as the federal government wrestles with the mandate of the commission, one element of that has to be: "What are the kinds of questions that can be put to this commission? What are the kinds of questions that we have?" In part through this debate and others, perhaps we can begin to identify what some of those questions are in some of the areas we are going to want to explore and try to come to some consensus and conclusion about.

I would like to mention and deal with three areas in the time that is available to me this morning: in vitro fertilization, surrogate contracts and artificial insemination.

First of all, with respect to in vitro fertilization or what we more commonly refer to as the test-tube process, now, as has been mentioned, that is a fairly accepted practice. Every time the procedure is done, we know that many more eggs and embryos are taken than are needed. The extras are frozen to be thawed and implanted in the mother if the first implantation does not work.

This procedure raises a number of questions. What should be done with extra embryos? Should they be destroyed? Should they be given up to other couples? Should they be used for experimentation or transplantation of embryo tissue which, incidentally, already happens? Who is to decide these issues: the couple, the doctor, the hospital? How do we track embryos to ensure that mother and daughter are not actually siblings? There are many troubling questions around this issue.

One senior official with the World Health Organization raised another important question which in vitro fertilization raises. Does a couple have the right to have a child at any cost to society? At great cost, about eight per cent of couples in any country can be helped by in vitro fertilization, with considerable risk of not ending up with a healthy baby. But every child born, it is

estimated, costs something in the order of \$50,000. Where do we go in this respect? Does that become a right which every health program should support?

Second, the issue of surrogate mothering. Again, although surrogate mothering is a very old practice, the legal, ethical and social issues have only recently been faced and challenged. We are all familiar with the case of Baby M. The case and the ruling raise important questions. Is a surrogate contract really the same as any other contract? Consequently, is reproduction capability to become just a commodity? Do we not recognize the biological tie between a mother and a child?

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Who should have access to this option of having children? At the moment, it tends to be wealthier couples commissioning poor women. There now exist private profit clinics. Should people be allowed to make a profit from reproduction? Should all clinics be nonprofit? How should this practice be regulated? Should biological mothers have some time to decide whether or not they want to keep the child, as is the case in adoption?

A recent article in the *Atlantic* suggested that surrogate motherhood might become an option for couples who did not want to interrupt their careers. How do we decide questions like these?

Surrogate mothering also raises other unresolved questions relating to artificial reproductive technology. What happens if the commissioning parents decide they do not want a child who is born with some kind of disorder? What happens to the child if both parents die, as happened in Australia where the parents were killed in an automobile accident before the child was born?

There are also questions that arise after the child is born. Is a father who has donated sperm responsible for custody payments for the child? How much should children be able to find out about their biological parents or the mother who carried them?

It is these sorts of questions that make it so important for everyone to get involved, to talk about the issues and to follow the work of the royal commission on reproductive technology. It is also why I support this resolution. I believe it is tremendously important that the people of Ontario need to review these issues and discuss them openly. We need, as a community, to consider the social, ethical and legal implications of medical and scientific developments in this field so that we can recommend policies and

safeguards to address the issues raised by these developments.

Dr Richard Neuhaus, who is the director of the Rockford Institute Centre on Religion in Society in New York City, put it this way: "What we mean by 'mother,' 'father,' 'child' and 'family' is a question so foundational to any society that it must engage the best thought of all who are entangled in an interconnectedness that aspires to being a political community."

While we will not find all the answers through the commission, it will force us to look at what the questions are and what the facts are and to try to come to some kind of consensus as a community as to how we should proceed. Right now, without that, things are happening in an ad hoc way that we cannot be happy with.

Recommendations for laws and regulations that may come out of the commission may protect those who are least able to protect themselves or who are unaware of the implications of their actions. In the end, it is to be hoped this will help to protect society from its own folly.

These are fundamental issues that are raised in any discussion of this issue. I think the resolution will show very clearly the kind of support we want to give to that work, and that we want to be very much involved in it.

Ms Bryden: Certainly, a resolution of this nature is one that most of us would support. Who can oppose a royal commission on a subject of such importance? It is a subject that has social, ethical and legal implications and it is a subject that is of great concern to a very large proportion of the population. It relates to the desire, which is almost universal, of men and women to have a child. It is therefore a very sensitive subject and one that we cannot ignore.

I do have some concerns about the wording of the resolution. I think the first part, that the people of Ontario should participate in the royal commission, is really not needed, because they certainly have the right, as people residing in Canada, to participate in any royal commission. Therefore, we do not need to assert that right.

It should also be clearer on what is the role of the government of Ontario that the resolution is urging. It asks the government of Ontario to co-operate to the fullest extent in seeing that people are involved in this royal commission. There is absolutely nothing set forth on how this can be done. I do not think the mover of the resolution outlined that in any detail.

There is also an instruction that government of Ontario institutions should participate in the

royal commission. It refers to Ontario institutions that are engaged in the delivery of reproductive technology. You could say that almost every institution in Ontario is engaged in that. Schools have sex education. Social work agencies deal with people who are having problems with reproductive rights and with children. The medical ministries and agencies, of course, are all concerned. The high-tech development agencies are concerned with whether resources should go to developing reproductive technologies. Almost every Ontario institution is involved in some way, so again, the resolution is very vague on what institutions the member is calling on to become involved.

The third thing is that these institutions are asked to consider the social, legal and ethical implications of medical and scientific developments in this field of reproductive technology. That is a very tall order for any Ontario institution to undertake. I am sure there will be much discussion of the social, legal and ethical implications of medical and scientific developments and technologies over the coming years, but I do not think Ontario institutions will be the sole participants or the sole leaders in this particular debate. It will be all of society that will be involved.

Again, I think the resolution gives rather woolly advice to the Ontario government as to what it can do. I hope we will have a statement, not just from the Minister of Health (Mrs Caplan), but from all the ministries as to how they think they can participate in the work of the royal commission.

What we need is Ontario government action to ensure that all women throughout the province have equal rights to exercise freedom of choice in reproductive matters. This means full coverage by the Ontario health insurance plan of procedures connected with the exercise of these rights. There should be no denial of services to poor women, women in rural areas, women on Indian reserves or any other women who find there are barriers to participating and exercising their full choice in reproductive matters.

We also need an ongoing review of all medical procedures provided under OHIP to see which ones should be added as technologies change. We also should be studying which ones should be revised to meet modern conditions, such as the rules that lead to the ordering of excess tests by many doctors. We should be looking at the cost of experimental work, not only in the reproductive field but in all medical fields, and working out methods of weighing how we can prioritize

which sort of experimental work will be costed or will have allocations of funds.

Instead, also, I would like to suggest that more attention should be given to the opportunities for infertile parents to adopt children from the Third World and the developing nations. Those who have this very strong desire to have a child, and I can understand that desire, should have more opportunity to adopt a child who is already born and perhaps in that way do a great deal to improve conditions in the Third World and to make opportunities available for those children.

1150

My colleague has also mentioned that we must do more preventive work, both in medical care and in developing healthy lifestyles, because if we had more preventive medicine there would be fewer people who may become infertile, and there would be fewer children who potentially would be damaged or have disabilities when they are born. This is something you have to consider when you are considering increasing fertility, whether you would want to use that power to prevent disabilities.

We still have a lot of work in other areas before we spend all our time just on the royal commission work. I think that it is not nearly broad enough in this field and that if we want to give every man and woman who wants a child the right to have one, we have to think of all sorts of ways of making it possible for them.

Mr Offer: I am pleased to rise and speak in support of the resolution put forward by the member for Halton Centre. I have read this resolution very carefully and thought over this resolution for a number of weeks. If I might, I would like to read part of the resolution which I think is of extreme importance, and that is encouraging "participation with the royal commission by Ontario institutions which are engaged in the delivery of any aspect of reproductive technology in considering the social, ethical and legal implications of medical and scientific developments in this field, and to recommend policies and safeguards to address the issues raised by these developments."

What we are talking about in this particular field is an area that by any objective standard is, I would think, relatively new not only in terms of the legal, social and ethical implications, but also is one where the medical procedures themselves are relatively new. I have been involved in some way with this particular area in a personal capacity for about 15 years. As I think back over the last 15 years, I must say that about 15 years ago I think there were but two what may be called

fertilization clinics in the city of Toronto. One was located in Mount Sinai Hospital and the other in the Toronto General Hospital.

Since that point in time there has been a growth in fertilization clinics, for instance. These are clinics that are designed to come to the needs of numbers of individuals who are having difficulty in conception. Also, there has been increasing awareness by the general public as to, in many cases, the widespread difficulty in terms of fertilization. From that, we have had a technological advancement in terms of in vitro fertilization, surrogate parenting and foetal sex preselection. These are areas that 15 years ago were unheard of.

Because of this technological advancement in the field of medicine we, as a government and certainly as the general public, are left with vexing questions dealing with the social, moral and legal implications of this type of advancement. So the question becomes, "Do we allow technological advancement to outstrip our ability to come to grips with these questions?"

I think the resolution put forward by the member is one that is necessary on one the hand, and timely on the other, because we can no longer sit back. That type of medical advancement in terms of reproduction is one that is calling into question many issues.

I know that in the throne speech on 3 April, the federal government announced there will be a royal commission to examine all issues surrounding high-technology reproductive human life: artificial insemination, in vitro fertilization, embryo transfer and surrogate parenting. And yes, as has been indicated most eloquently by the member for Halton Centre, although there have not yet been terms of reference for such a commission, it is an important first step that such a commission has been established.

Because of the establishment of that commission, one must ask, is there and should there be a role for, for instance, Ontario to play? I think this resolution comes to grips with that and says that there should be, that there is such a role to play, and we, by this resolution, are endorsing that role of the government of Ontario to play in such a royal commission, because it deals with areas, questions and issues that are going to be important, not only today but for many generations to come. It is important work and it is necessary work.

I know from my reading that it is barely 10 years ago that there was this in vitro fertilization, this test-tube baby, and that was heralded and remarked upon across the world. Yes, we realize

there are great odds in the success of such a process, but we are also becoming more and more aware that that process, as well as others, is providing success. I think it behooves us as legislators to keep in mind the psychological concerns and impact on those persons who are having fertilization problems, the questions they have and the direction they need. We have to come to grips with the very human aspect of this issue.

We have an opportunity. The royal commission has provided an opportunity. This particular resolution has provided a further opportunity. Working with and hand in hand with such a commission, we can come to grips with some of those very important issues, some of those social, legal, ethical and moral questions we are going to have to grapple with. We are going to have to do so with a focus, keeping in mind the very real questions that men and women having difficulties in terms of fertilization go through.

The technology will continue to advance. The questions will continue to increase. We now have a forum in which we can address not only the questions and concerns we have heard today, but I dare say questions and concerns we have not yet thought about, have not yet discussed or analysed. Accordingly, I would like to support this resolution and commend the member for Halton Centre for a very important resolution on a very important issue, one that will have great impact on the future of this province and indeed of this country for many years to come.

The Speaker: I believe the member for Halton Centre reserved approximately two minutes.

Mrs Sullivan: In closing the debate, I would like to thank my colleagues the member for York North (Mr Beer) and the member for Mississauga North (Mr Offer), and my friends the member for Riverdale and the member for Beaches-Woodbine (Ms Bryden) for indicating their support of the resolution.

The member for Riverdale spoke of the passion associated with reproduction. The technologies themselves that are being used in artificial reproduction have no passion attached to them. It is the people who are affected by the technologies who have the passion.

Reproduction is one area of our lives that has been bound with rules—religious and secular—with mystical approaches, with heavy emotional burdens, with a sense of success and failure from time immemorial. The introduction of the new reproductive technologies brings with it fundamental and vexing questions. I hope that members will support the resolution and that the

royal commission will be able to benefit from the experience we have had in Ontario, the expertise we have and, indeed, our suffering and our hope.

The Speaker: That completes debate on ballot item 9 and ballot item 10.

EAST METRO TRANSPORTATION

The Speaker: Mr Cousens has moved resolution 12.

Motion agreed to.

REPRODUCTIVE TECHNOLOGY

The Speaker: Mrs Sullivan has moved resolution 14.

Motion agreed to.

The House recessed at 12:01 p.m.

AFTERNOON SITTING

The House resumed at 1330.

MEMBERS' STATEMENTS

GIOVANNI CABOTO DAY

Mr Philip: Today members of the Legislature and community leaders are participating in ceremonies and receptions marking the 492nd anniversary of the discovery of Canada by Giovanni Caboto, or John Cabot as he is called in so many of our Canadian history texts. We join other provinces such as Newfoundland, which celebrates Newfoundland's discovery day on 24 June, commemorating Giovanni Caboto's arrival in the new world.

Today our lives are enriched by an estimated 700,000 citizens of Italian descent living in Canada. Giovanni Caboto was the first Italian in North America and displayed the same qualities of all immigrating peoples to follow: tenacity, perseverance, curiosity and courage.

Just as the space explorers of our time are challenging our view of the world and broadening our perspectives, so Caboto's voyages totally changed the perception of Europe. Europeans soon came to realize that this was an immense continent with enormous potential, and we are the beneficiaries of this.

Last, may I congratulate the National Congress of Italian Canadians and other groups for their efforts in reminding us of this important event in history.

[Remarks in Italian]

The Speaker: Please look at standing order 19(a).

FARM TAX REBATE

Mr Villeneuve: Nothing typifies this government's abandonment of Ontario farmers any more than last Friday's late-afternoon release of details to slash the Ontario farm property tax rebate program by over \$20 million. I can tell the minister that the timing of his announcement, which he no doubt hoped would go unnoticed, will not help him explain the Liberal Party's betrayal of Ontario farmers.

I can also tell him that it does not help when his official press release, received by members of this House, failed to include the one page labelled "Guidelines and Changes" which was received elsewhere.

The real insult, however, has been to farmers and their farm organizations. Regardless of what

the minister may have said in this House, no farm organizations were consulted about these changes. Many farmers expected their interim farm tax rebate cheques to arrive, and the cancellation of interim payments will not help farmers on tight budgets.

Surely the Liberal government knows that the farm economy is not in very good shape. If the government had wanted to exclude a few large corporations from receiving the rebate, surely some other method could have been found.

Of course, it is nice to talk about excluding weekend farmers, but when the government tries to define what a farmer is by basing those definitions on an income test, then we are surely in trouble. It is simply wrong for this government, in tough financial times for agriculture, to dictate to farmers how much they should be earning off their farms.

LISA ORCHARD

Ms Hart: I rise today to welcome to the member's gallery Lisa Orchard, Leaside High School's recipient of the 1989 Provincial Member's Award.

Last year, the member's award was established to recognize the accomplishments of young people who stand out in our community. The award is presented annually to a student from each high school in York East who has shown innovative leadership, having both initiated and implemented a project which has enriched the lives of others.

Although she is just 17 years old, Lisa already has a long history of helping those less fortunate than herself. Last summer, while working at Stop 103 food bank, Lisa decided to organize a food drive at her school. In October, the students at Leaside High School collected 600 cans of food which were then distributed to the needy and the hungry in the community.

I would like to commend Lisa for her fine work and heartfelt concern for others. It is indeed encouraging to know that there are young people like Lisa who are eager to tackle the problems and the social inequalities which exist in our society. Congratulations, Lisa. You are a credit to all of us.

BAIT FISH INDUSTRY

Mr Hampton: We all remember how this government said in 1987 that it was opposed to a trade deal with the United States that would give

away our interests, such as our economy, our environment or our culture. Do members remember the words, "There can be no deal"?

Now the trade deal is impacting directly on some of our communities in rather unique ways. Under the federal Fisheries Act, provincial governments are delegated the authority to make regulations limiting the importation of live bait fish into the province. The reason such regulations exist is to guard against the unique parasites and diseases that travel with bait fish from other places, upsetting the ecosystem of our lakes and rivers and destroying our important sport and commercial fishing industries.

Earlier this year, Ontario's regulations limiting the importation of live bait fish were struck down under the trade deal. It has been some time, and one would have thought that the Ministry of Natural Resources would have quickly gone to Ottawa and spoken with the federal Minister of Fisheries and Oceans to get new regulations in place to limit the possible damage.

Alas, there has been a lot of dithering and this has not happened. As a result, foreign bait fish are now entering certain parts of the province and do threaten to contaminate our lakes and also threaten to drive the Ontario bait fish industry out of the market.

ROUGE VALLEY

Mrs Marland: I would like to take this time to congratulate my colleague the member for Markham (Mr Cousens) for his resolution this morning on the environmental impacts of the east Metro transportation corridor on the Rouge Valley. I was pleased to speak in support of his resolution.

I was also pleased to see that members from all three parties supported the resolution, which called for a comprehensive and environmentally sound strategy to deal with the transportation needs of the greater Toronto area. This is an indication that we are moving in the right direction to preserve the Rouge Valley lands for future generations.

It is, however, unfortunate that this government is moving so slowly towards this goal. The Premier (Mr Peterson) is dragging his feet on making a decision. Do the people of north Scarborough have to wait until the next provincial election two years from now to see the Premier keep his word, perhaps with an election goodie, a promise?

The decision is easy. It was already made over 10 years ago by our Progressive Conservative government, that the Rouge Valley should

always be preserved as park land. The Premier should not even be considering reversing that action and that decision.

I suggest that we get on with the job, that we let northeast Scarborough out of limbo. The province should give its go-ahead for a park in the Rouge Valley land immediately and save the continuing efforts by the group of volunteers who fight on a day-to-day basis for the preservation of what already has been preserved, but this Liberal government will not agree.

GIOVANNI CABOTO DAY

Mr Leone: I am happy to read the proclamation of Giovanni Caboto Day:

"Whereas Giovanni Caboto was a skilled navigator who was admired and revered as an expert mariner and ingenious craftsman of maps and globes; and

"Whereas this world-renowned Italian adventurer, with a crew of 18 men in the ship Matthew, landed on the eastern coast of Canada on the morning of 24 June 1497; and

"Whereas Caboto displayed great tenacity and perseverance; and

"Whereas the daring exploits and deeds of this famous explorer are of great historical significance not only to Canadians but to people throughout the world,

"Therefore, on behalf of the government of Ontario, we are pleased to recognize 24 June 1989 as Giovanni Caboto Day and commend the observance of this historically relevant occasion to the people of this province."

At this time, I would like to acknowledge in the gallery the presence of the representatives of clubs and associations of the Italian community who have come here to celebrate this great event with this House.

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ROTARY CHILDREN'S CENTRE

Mr Farnan: The Rotary Children's Centre, which serves my riding of Cambridge as well as the Kitchener-Waterloo area, has a waiting list of almost 200 children, children who desperately require treatment but will wait for up to one year for care. Almost 200 little children whose lives are already complicated by their disabilities are being denied treatment which is fundamental to their development and wellbeing.

The Rotary Children's Centre is hopeful and anticipates that the Ministry of Health will resolve this and that the waiting list will be reduced in the near future. I urge the Minister of Health (Mrs Caplan) to act quickly to rectify this

intolerable situation. Every passing week is vital to these children. For them, time does not stand still. One year lost in the life of a child has an immeasurable impact on that child's future.

STATEMENTS BY THE MINISTRY

EMERGENCY HEALTH SERVICES

Hon Mrs Caplan: Emergency health services is one of several specialty care areas mentioned in the recent throne speech in which my ministry is concentrating its resources.

Earlier today I was pleased to announce an \$18-million province-wide program to enhance the quality of emergency health services. The funding will be made available this fiscal year. This additional funding will improve the co-ordination of services from the time a patient is picked up by an ambulance, arrives at the hospital emergency department and, when necessary, is transferred to a critical care or trauma unit.

The initiatives from this additional funding include \$9 million for additions to ambulance services in 26 communities in response to population increases. The remaining \$9 million will be used to:

- Implement guidelines to help hospitals improve the efficiency of their emergency wards;

- Designate seven new regional trauma networks to co-ordinate regional hospital beds and services to ensure that severely injured patients will get prompt access to the types of specialized care they need;

- Improve accessibility to services by establishing critical care hotlines for physicians in each region which will be interconnected throughout the province. The Metropolitan Toronto hotline will be in operation 1 July;

- Expand standardized information collection on emergency patients province-wide, and

- Establish a trauma patient registry to provide research data on injuries and treatment outcomes.

My ministry will soon send the emergency department guidelines to hospital boards of governors. Implementation of the guidelines will ensure that emergency care is available at all times and that emergency patients get priority over elective cases.

I would like to commend the Provincial Emergency Health Services Advisory Committee for its efforts in developing the guidelines.

I am also pleased that the guidelines have received positive reviews from many of our partners in health care such as the Ontario Hospital Association, the Ontario Medical Association

and the Emergency Nurses Association of Ontario.

Hospitals that will be asked by my ministry to take a leading role in setting up new regional trauma networks are London's Victoria Hospital, Windsor's Hotel Dieu of St Joseph Hospital, Thunder Bay's McKellar General Hospital, Hamilton General Hospital, Kingston General Hospital and Sudbury General Hospital. In Ottawa, the district health council will name a hospital this summer to take a leading trauma network role.

The development of regional trauma systems includes the identification of the levels of care at hospitals in a region and the roles that each of them will play in the treatment of seriously injured patients.

The new regional communications systems will eliminate the need for doctors to call several hospitals in search of more specialized care. Instead, a regional centre will have an inventory of services available. A doctor seeking a transfer for a critically ill patient will be connected with a doctor at a hospital where appropriate care is available.

Data from the emergency department information system and the trauma patient registry will be used by the ministry and hospitals to plan further improvements in emergency and trauma care.

I have no doubt these initiatives will play a significant role in enhancing the quality of care of severely ill or critically injured Ontario residents.

As members know, I previously announced as part of my ministry's specialty care initiatives a province-wide breast-screening program for cancer and new funding for cardiovascular care, AIDS treatment and education, kidney dialysis treatment and care for mothers and the newborn.

Let me conclude by saying this reaffirms our government's commitment to accessible, effective and universal health care.

FIRE AT INDIAN SETTLEMENT

Hon Mr Kerrio: I would like to bring to the attention of the House a fire emergency which has caused the evacuation of the settlement of Lansdowne House, located about 300 kilometres north of Geraldton.

A fire was reported south of the Lansdowne House settlement late yesterday afternoon. It appears to have been started by lightning. My ministry is certainly responsible for fire suppression, and for safety reasons we recommended evacuating the community.

At 7 pm the Department of National Defence began airlifting people out of the settlement and into Geraldton. The operation was completed by 10 pm. One hundred and fifty-nine people are now being housed in a church hall in Geraldton and are being looked after by the Geraldton Community Emergency Response Group.

The Ministry of Natural Resources has dispatched a CL-215 waterbomber, as well as two fire crews, to the scene and we are working in co-operation with the people of the settlement to bring this fire under control. Some of the residents of Lansdowne House are trained in firefighting techniques and they have remained in the settlement to fight the fire and protect the buildings.

At last report, the fire at Lansdowne House had affected about 150 hectares of land but no buildings have been lost.

Yesterday I told this House about the emergency evacuation of the settlement of Webequie due to the serious fire situation at the edge of that community, which is 350 kilometres north of Geraldton.

That evacuation was a complete success, thanks to the efforts of the Department of National Defence, the Geraldton Community Emergency Response Group and my ministry. More than 400 people were safely transported to the town of Geraldton and are being housed in the town's community centre.

The fire at Webequie is currently under control and does not appear to be posing a threat to the community. However, community members who were evacuated will remain in Geraldton until it is safe to return home.

The ministry has implemented emergency-area orders centring on the two settlements. The enactment of an emergency-area order gives the ministry complete authority over the emergency areas and empowers MNR to take whatever action is necessary to protect human life and property and to suppress the fire.

Members will be interested to know that across the province 108 fires are burning, affecting 4,300 hectares. So far this year there has been a total of 604 fires, affecting some 10,000 hectares.

The weather is the most important factor in the provincial fire situation. We expect thunderstorm activity in the area that will help ease the situation in northwestern Ontario and in some of the north-central areas.

Because events happen so fast, just a brief comment: Alberta and Saskatchewan have sent in four CL-215 waterbombers to help us fight the

fires in that area, and I want to give them a great vote of thanks.

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RESPONSES

FIRE AT INDIAN SETTLEMENT

Mr B. Rae: It really is rather extraordinary listening to the Minister of Natural Resources (Mr Kerrio). This is now the second evacuation of a whole community that has taken place in two days. I think it is probably difficult for many members who have never visited any of these communities, or for many Ontarians who have never been in the far north of our province, to understand the poor housing conditions, the enormous poverty which surrounds those communities and the complete isolation of these communities which requires the total evacuation as a result of the outbreak of a fire.

While commending the members of our national defence team and natural resources team, who obviously worked so quickly, as well as those members of the Lansdowne House band and community who stayed behind in order to fight the fire and because sometimes repetition is necessary to make a point, I simply want to say once again that we in this House are going to have to make a decision as to the overall conditions that exist in these communities. It simply is not enough to be there at a time of emergency evacuation.

We have to provide decent housing, a clean environment, sewage treatment, running water and opportunities for education. The provincial government cannot say simply that these are all the responsibilities of the federal government, because if we say they are, then we are saying in effect that nothing will be done.

Perhaps something good will come out of these tragedies, the tragedy at Fort Albany, at Webequie yesterday and at Lansdowne House today. Perhaps the very fact that the minister is making these announcements in this House will cause some members of the media and others to take some interest in events that are occurring in our far north because it is only when that focus and attention come from the citizens of the affluent south that we will begin to understand that in Ontario we are all one family, and that some members of our family are hurting very badly and desperately need the rights, support, brotherhood and sisterhood, and friendship of people all over this province in order to give them a rightful place at the very centre of Ontario's work and life.

EMERGENCY HEALTH SERVICES

Mr Reville: I want to respond to what I hope is the last announcement from the Minister of Health (Mrs Caplan). A lot of us have been wondering when the series of staged announcements from the ministry of information would come to an end, and I understand that this is the last one. This kind of incomprehensible gibberish I refer to as health-speak. It is sometimes called Barkin's barkin'.

As we say in this place, I have in my mind 11 previous Ministry of Health releases which might well account for half of this money already, so we are getting half of it reannounced today. The minister is shaking her head, but she does not have the faintest clue about what is going on in her own ministry.

Will this approach mean that attending nurses no longer have to stuff blankets into cracks in the fuselages of aircraft so that their patients will not freeze in the air ambulances of this province? Will it mean that ministry directives that come out and shut down ambulances from service, called "down-staffing," will end, so that they will not have to pay overtime? Will it mean that the sometimes nonexistent trauma management which is sometimes bizarre will end in the province, where a victim gets orthopaedic services in one, neurological services in another and internal medicine in yet another hospital so that the patient has to recover three times from three operations in three different places? It is hard to say.

We have seen the pattern where the minister makes announcements onsite, in the Toronto Star and then in the Legislature. Sure, emergency services and trauma management can put this money to good use, but I do not think the minister really is fooling very many people.

Mr Brandt: Mr Speaker, may I beg the indulgence of the House for a moment? Our party missed the rotation on the response to Giovanni Caboto Day.

Mr Reville: There was no rotation.

Mr Brandt: Was it not, in fact, done earlier?

Mr B. Rae: We did it under members' statements. We did one and they did one.

Mr Brandt: What I would like is to ask for unanimous consent to use up part of our time to make that response now, if I could, on behalf of our party.

The Speaker: Is there agreement?

Agreed to.

GIOVANNI CABOTO DAY

Mr Brandt: I would like to thank the members of the House because I do want to join with all the parties in the House in recognizing Giovanni Caboto Day which is being celebrated, as all members of the House know, to recognize the tremendous contribution that Italian immigrants have made both to Ontario and to Canada as well.

Over a long number of years I have appreciated a very close association that I have had with the Italian community. During a former calling, when I was in my own private life in private business, I had many associations in Italy. I grew to develop a very close association with many members of the Italian community, as well as many businesses in that part of the world.

There has been an absolutely outstanding contribution made by the Italian community to life in Ontario. The culture, the heritage and the richness that this community in particular, because of their very large numbers, has contributed to Ontario has made this province a much better and a much stronger place.

I want to join with all members of the House in recognizing what we are focusing on here, a celebration of success, a celebration of contribution and a celebration on the part of those Canadian people who have welcomed a very fine and law-abiding community that has done so much to make this province the very attractive place it is to live in.

RESPONSES

(continued)

EMERGENCY HEALTH SERVICES

Mr Eves: I would like to respond to the statement made today by the Minister of Health (Mrs Caplan). Although I suppose it is difficult to take issue with some motherhood and apple-pie statements in the minister's statement today, I would have thought that a lot of these things go without saying.

To make sure that emergency care is available at all times: I would have thought, I would have hoped that we would have had that system in Ontario for some 50 years. If we have not, and the minister is shaking her head, I would like to know what she has been doing in the last four years of her life.

Emergency patients get priority over elective cases: I certainly would have hoped that that would be the case, and that goes without saying. I do not think we have to spend \$18 million to come to commonsense conclusions. Any doctor I have dealt with certainly knows what hospital to

call and what other specialized physician to contact in terms of needing specialized care.

We get to talking about spending \$9 million to improve emergency departments around the province. I can tell the minister that in my home community of Parry Sound, the Parry Sound District General Hospital has had a request in to her ministry for some period of time requesting over \$1 million worth of improvements to its emergency department alone. There are 222 hospitals in Ontario. How far is \$9 million going to go? The minister could spend it all on Parry Sound, one of those 222 if she cared to do her job appropriately.

With respect to improving ambulance services in Ontario, perhaps I have just missed these places on the list, but I know of places that have requested improved ambulance services that are not on the list—North Bay and Parry Sound. For the member for Muskoka-Georgian Bay (Mr Black), who seems very proud of this announcement, the municipalities of Bracebridge, Gravenhurst and Huntsville are mysteriously missing from the minister's list of places she is going to help.

Mr Black: They've already got excellent ambulance service.

Mr Eves: Is the member happy with all his health care services?

Mr Black: What's that got to do with ambulance services? Don't you know the difference?

Mr Eves: That's funny, the obstetrician requirement for the Bracebridge area and the Gravenhurst area has been there for some time. The Minister of Health has said that she cannot be all things to all people, that the people in that area do not deserve an obstetrician, but perhaps the member for Muskoka-Georgian Bay should go on record as saying that he is not in favour of that, either. He cannot have it both ways. He is either in favour of it or he is not.

ORAL QUESTIONS

Mr B. Rae: I have questions for the Premier (Mr Peterson) today. I also have a backbench question for the Minister of Health (Mrs Caplan). I do not know what my colleague has, but I will wait until the Premier comes.

1400

The Speaker: The member is requesting to stand down his two questions?

Agreed to.

Mr Brandt: I can go with one of my lead questions. My other question is to the Premier as well, so I will stand that down.

PATRICIA STARR

Mr Brandt: My question, if I might, is to the Minister of Tourism and Recreation and it is again with regard to Ontario Place.

The Premier has stated that he is most anxious to get all the facts on the table as they relate to Ontario Place and the investigation that is under way with regard to some of the activities that took place at Ontario Place. I wonder if that in fact is the wish of the government and of the Premier, who has now just arrived.

Would the minister indicate why the standing committee on public accounts tabled a request to have Patti Starr appear before that committee so that she could respond to the very legitimate questions that members of this House want to place to her?

Hon Mr O'Neil: Although I am the Minister of Tourism and Recreation, I do not direct the business of the House.

Mr Brandt: I understand full well that the minister does not direct the business of the House. However, I am sure the minister would have some input and/or some knowledge as it relates to the activities of a committee that is interested in dealing with the Patti Starr issue.

My next question is that during the course of Ms Starr's tenure as chairman of Ontario Place, there were a number of staff who Ms Starr indicated were "superfluous to the operations at Ontario Place." In the public accounts, there is a notation of some \$260,000 made up of some sales tax items as well as termination pay for staff who were let go. I wonder if the minister could indicate what percentage of that \$260,000 was termination pay for employees who were released at Ontario Place.

Hon Mr O'Neil: As I have mentioned to the member in past cases, at the present time we have the Provincial Auditor in there doing a comprehensive audit.

I might also tell the member, since he raises the matter of the number of employees and what is going on at Ontario Place, that when I became the Minister of Tourism and Recreation in the fall of 1978, I had my staff go in. They went in, I believe, in the month of November to do an internal audit during the months of November and December and finished it in January. One of the things that was identified was that there was overstaffing at Ontario Place, and one of the things that could be done to reduce the deficit at Ontario Place was the reduction of staff.

I know that the other facts the member asked for will be identified by the Provincial Auditor.

Mr Brandt: I am sure the minister wants to correct the record. It was in 1988 that he became minister, not 1978.

An hon member: It was 1987.

Mr Brandt: In 1987. I would just like to say that it may seem like that long since he has been over there, but that is only a figment of his vivid imagination.

I would like to ask the minister, however, another question with regard to Ms Starr. He indicated that he was prepared to table in this House the amounts of money that were given to Ms Starr for payment for her services during her period as chairman of Ontario Place, as well as the expenses over approximately that two-year period. I wonder if the minister is still of a mind where he will share that with the House. I have not received that information yet. I think it is vital information that we require with regard to this particular case. Will the minister immediately provide that information to the House?

Hon Mr O'Neil: I have asked for that information, and I can tell the member that when I do receive that information, I will certainly make it available to him.

I might also mention that the member made certain accusations this week about shredding going on at Ontario Place. He talks about sharing information, yet he says he had a phone call about an hour and a half before question period and he did not call me, he did not call the acting Solicitor General (Mr Scott) and he did not call the Provincial Auditor. I can only say to him, he is making certain accusations and unless he is prepared to share this information—and he is the only one who can in this case of shredding—we have an old saying in Quinte that says, “Either put up or shut up.”

Mr Brandt: What has it to do with the question?

Hon Mr Scott: Why don't you get Alan Pope to ask a question on shredding? Get him to ask me. He stripped the gears on the machine when he left the Attorney General's office.

The Speaker: Order. I see the Premier (Mr Peterson) is here now. I recognize the Leader of the Opposition for the first question.

Mr B. Rae: Mr Speaker, I always wondered where that expression came from, and now I know.

I have a question for the Premier. He has said, on a number of occasions, to me—among other things—that he is waiting for more facts before he makes up his mind with respect to the conduct of

the Minister of Culture and Communications (Ms Oddie Munro).

The Premier has had a chance to speak with the minister. He has had a chance to look at Hansard and the answers which the minister has given on the record in this House. He has had a chance to see the interviews which the minister has given to various media about the nature of the alleged contract provided by Mrs Starr to the minister's mother, on the minister's recommendation.

I wonder if the Premier can tell us just what additional facts he needs to make his mind up about the ethical standards of a member of his executive council.

Hon Mr Peterson: My honourable friend is usually quite succinct in putting his questions, but he has been putting the same question for the last few weeks.

I have given him the same answer. I said it was referred to the Conflict of Interest Commissioner. My honourable friend has his own views on the matter which he would like to share in this House and he does so repetitively, but my answer is the same. It is referred to the conflict commissioner and it will come back with his advice.

Mr B. Rae: The conflict commissioner has said, on the record, that he will not commence his work until such time as the Ontario Provincial Police have completed their investigation.

Hon Mr Scott: And a very wise thing to do, too.

Mr B. Rae: I appreciate very much the advice of the Attorney General—

Hon Mr Scott: You get it free now. In the old days you had to pay. You get it free.

The Speaker: Order. This might be the appropriate time to remind all members that interjections are really out of order.

Mr B. Rae: The Attorney General's advice is worth exactly what we are paying for it.

What I would like to say to the Premier is this. I would like to ask him this question. We know the conflict commissioner has said he is going to wait for the OPP investigation. We know that the OPP investigation can, in many instances, take not just a few days but indeed, if one looks at other OPP investigations, weeks and indeed months.

The question here is one of the ethical conduct of one of the Premier's ministers. He has said he is waiting for all the facts to be in. I want to ask the Premier again this simple question. What additional factual information does he feel he needs in order to make up his mind about whether

it was right for a member of his cabinet to refer her own mother to Mrs Starr for a \$5,000 contract? What more information does he need to decide whether that is right or that is wrong?

Hon Mr Peterson: That is exactly the same question the member asked me before his first supplementary and it is exactly the same one he asked me yesterday and last week on several occasions. My answer is exactly the same. It should not surprise him.

Mr B. Rae: Can the Premier then answer this question? Can he tell us if what he effectively is saying is that he does not know whether it is right or wrong for a member of his cabinet to say to Mrs Starr: "Here's my mother's phone number. She'll be glad to do the work"? Does the Premier not know if that is right or wrong? He cannot make up his mind whether he condones that conduct. Can the Premier tell us how many months it is going to take him to make up his mind as to the basic ethical standards of his own government?

Hon Mr Peterson: I am not saying that at all to my honourable friend, and I think he knows that, even though he would want to repeat his point of view ad nauseam on this matter. He can continue to do so, as he has every day, but I think I have laid out my view in the situation. I ultimately have to take the responsibility for the standards made, but on the basis of advice from the conflict commissioner and others, I will make the judgements.

1410

Mr B. Rae: I would again ask the Premier this question: He will know, I am sure, because of the extraordinary web of money and special deals that surrounds this whole incident involving Mrs Starr and the various accounts for which she had control, that the key to the \$251,000 capital account for which Mrs Starr had sole and complete control was two events. The first event was the decision by the federal Department of National Revenue to grant that particular account and that particular foundation charitable status. The second was the decision by this government, the Ministry of Revenue, to refund the \$251,000 without any kind of control of those funds.

Can the Premier give us the categorical assurance that no member of his cabinet and no senior members of his party were involved in influencing the decision in any way to grant this particular site charitable status?

Hon Mr Peterson: I can tell my honourable friend that I am not aware of any at the present time, but I tell my honourable friend at the same

time that this is the whole object of the investigations going on at the present time. It is essential that we come into full possession of the facts. He may know something. He may know of some influence exercised. If he does, I hope he will share that with me and/or the investigating bodies.

I say to my friend we are determined to get to the bottom of this. My honourable friend alludes to a couple of things, the involvement of the federal government and the granting of the charitable licence as well as a rebate on provincial sales tax and other things. If he is right, I gather that she had sole and exclusive control over this particular fund. How she achieved that frankly is beyond me, but I think it is our responsibility to get to the bottom of all these things, and all the facts must come out for everybody to see.

Mr B. Rae: We certainly look forward to the emergence of all these facts. Indeed, we have been trying day after day, with respect to individual ministers and members of the government, to get them to give us the facts. It is not as if they have come forward and spilled all the beans without being asked questions.

What I would like to ask the Premier is this: In addition to the \$251,000, the sales tax remission to the account that eventually came under the control of Mrs Starr—which is provincial money, public money, Ontario taxpayers' money—Ontario taxpayers have also funded, through the Ministry of Community and Social Services as well as through the Ministry of Housing, this particular project very substantially. Is the Premier satisfied that all the appropriate financial controls have been exercised over each of those very substantial sums of money that went to the Prince Charles apartments?

Hon Mr Peterson: I am informed that the normal procedures were followed in this case. I cannot attest to that personally. I did not do it myself and so I have to take the advice of others, but I am told that what happened in this case is what happens in every other similar type of situation.

Mr B. Rae: There is a pattern here of special influence. There is a pattern here of hundreds of thousands of dollars, apparently going without any control or any adequate audit of funds, that were controlled by one person. We have large institutions like Tridel able to use those funds. We have the Liberal Party able to access those funds. We have money going from one account into another account and back into another account, and all the Premier can tell us is that as

far as he knows, everything has been done totally normally.

I think the basic question for the people of this province is, what are the Premier's standards and just what does it take for him to wake up? This is the largest financial scandal involving the electoral process in the recent history of this province and he had better wake up and start taking some stands—

The Speaker: Thank you.

Mr B. Rae: —and some steps to send a message out that this is not acceptable to the people of Ontario.

The Speaker: Order. I think I missed the question. New question. The member for Sarnia.

Mr Brandt: My question is for the Premier as well. Some days ago, the Minister of Tourism and Recreation indicated he would provide this House with the details of the amounts of money paid to Ms Starr, as well as the expenses. In my last question to the minister just a few moments ago, he did not in fact indicate what those numbers were and when he would table that information with the House. I wonder if the Premier would be prepared to make that commitment on behalf of his government. I would just like to remind the Premier that in Sarnia we have an old saying; it is called, "Put up or shut up."

Hon Mr Peterson: Perhaps I will refer that to the minister, who is more than capable of handling that question.

Hon Mr O'Neil: It is good that the member has the same types of sayings in his area too. As I mentioned to the member, I have asked my staff to prepare that information and I will try to have it for him as soon as we possibly can.

Mr Brandt: My question was for the Premier, Mr Speaker. Can I go back to the Premier now or am I forced to continue to get my nonresponses from the minister of tourism?

The Speaker: The member is not forced to do anything. However, the members here have decided in the past and by tradition that the question must flow from the response, so I would suggest to the minister—

Mr Brandt: I understand your direction then, Mr Speaker. With some reluctance, I will go to the minister of tourism and ask him by way of question—this is responding to his earlier comments in regard to the relationship between my office and the shredder question—is the minister aware that my office called the Provincial Auditor within a half-hour of having received the information, in fact on two occasions within a half-hour after having received the information

that there were allegations regarding shredders at work? Was the minister aware of that before he made his very uncalled-for accusations in this House?

Hon Mr O'Neil: I am not aware that was done, and if it was done, maybe the member should have let us know that in the House.

Mr Brandt: Well, I want the minister to know that we acted as quickly as possible. I would like to ask the minister in regard to the auditor, who is now undergoing certain work at Ontario Place, is the auditor there in response to the letter, which as of yesterday the auditor still had not received from the minister's office, directing them to undergo an investigation at Ontario Place, or are they there as part of an annual audit they are doing at Ontario Place? Which is it, because yesterday, the auditor still had not received his letter that he had sent supposedly four or five days ago.

Hon Mr O'Neil: I have tried to clarify this, and I am sorry the member has not followed up on a lot of things that are happening there. But I will tell him that yes, the auditor has been in there for approximately two weeks. The first week they were in there was the usual audit they do; in other words, they audit it every year. For the special audit, the comprehensive audit we have asked to be done, they were in there last Monday.

I can also tell him that I guess there was a problem over that letter being received, but the letter was sent out, I understand, over a week ago. I understand it was the auditor who was talked to, asking him to do the audit and it would be followed up with a letter. That is what happened. There was a delay in the letter getting there, but the office was talked to over a week ago.

CANCER TREATMENT

Mr B. Rae: I have a question for the Minister of Health. It concerns the crisis at the Princess Margaret Hospital. In using that word, I am using the word that has been used by Dr Duncan, who as I am sure the minister will know, is the head of oncology radiation at the hospital. Patients with cancer where radiation is the required treatment are now having to wait months and not just weeks because of a staff shortage at the hospital. A similar situation is beginning to develop at Sunnybrook Medical Centre.

The Princess Margaret Hospital is the centre of cancer treatment for patients across the province, and indeed for many patients outside Ontario and across North America. I would like to ask the minister, when she talks as she has on so many

occasions about a well-planned and well-managed system, how is it possible there could be a staff shortage in such a basic service as radiation treatment for cancer patients?

1420

Hon Mrs Caplan: Let me acknowledge, first, that I think everyone in the House is aware of the Leader of the Opposition's personal interest in the delivery of cancer services, as are many members of this House and in this province who are touched by cancer as a disease.

I would say to him that I am very aware of this situation and that the province has in fact acknowledged that cancer care and cancer services are a priority and part of our action plan for specialty care.

It is true that the Princess Margaret Hospital is a centre of excellence and part of a cancer treatment network in this province. There are eight regional centres across the province. The Ontario Cancer Institute, the Princess Margaret Hospital and the Ontario Cancer Treatment and Research Foundation are acting with us and with our new cancer co-ordinator to address many of these issues.

I would say to the member that as we develop a network across the system, we are able to specifically address issues and challenges as they arise. In very recent times, a number of technologists at the Princess Margaret Hospital have sought employment elsewhere. In fact, I can say to him that some 700 patients come from outside of Metropolitan Toronto from eastern Ontario into downtown Toronto for treatment. By working together, part of our plan is to develop a capacity and expansion in Kingston so that we can meet needs closer to home.

Mr B. Rae: The minister has to understand that while she works out these bureaucratic solutions—she talks about things happening in Kingston, which is fine—the reality is that the Princess Margaret Hospital is right now in a state of crisis. It has patients who are waiting for months for radiation treatment. The tumours have been diagnosed. The doctors have told them, “This is the treatment you will require,” and they are having to wait day by day, night by night, week by week, month by month for treatment.

Does the minister not understand that unless she is prepared to deal with the staff shortage immediately—whether it is nursing, whether it is technicians—patients are going to die and patients are going to suffer because her government has not dealt with the most basic fact of our health care system? If we do not care for the people who

work in the system, the system will fall apart, and that is exactly what is happening today.

Hon Mrs Caplan: While I did not detect a question, I think it is important that we have the facts, and the facts are that there are many people coming into Metropolitan Toronto for treatment who can receive treatment closer to home in their home communities as part of a provincial network.

I can say to him that Princess Margaret Hospital has acknowledged the need for additional staff and has doubled the number in its training programs. There have been active recruitments for radiation technologists across the province, but there is the opportunity to expand additional capacity in the regional centres across the province. We are doing that. We are doing it so that people will have access to the care they need, when they need it, as close to home as possible.

Mr Eves: I have a question to the Minister of Health on exactly the same issue. Just over a week ago, last Wednesday to be exact, on 14 June, I asked her basically the same question in this Legislature. I read to her a memorandum of her co-ordinator, Dr Clarke, which she sent to all area directors for cancer centres across the province on the previous day, 13 June. The Leader of the Opposition is exactly correct.

What is the minister doing in the interim to solve this very immediate radio-therapy technologist shortage in the province? Princess Margaret says that it is at least 12 to 15 technologists short right now, that it has one technologist operating a machine instead of two, that it has reduced the number of machines operating from 10 to eight and that it has reduced the number of hours of shifts from 10 to eight as well because it has a shortage of technologists. What is the minister doing to meet this immediate concern?

Hon Mrs Caplan: I am pleased to tell the member that as well as the initiatives I mentioned, the expansion of capacity in Kingston will permit many of those patients who are presently coming to Toronto to be treated in Kingston. That will relieve the pressure in Toronto and allow patients to have the care that they need even closer to their homes.

Mr Eves: I know some efforts are being made to try to have Kingston and Ottawa accommodate some of the 700 patients. My information is that they cannot accommodate them all. There are also another 500 to 700 patients a year who come from northeastern Ontario, referred by Sudbury.

I understand that in time Sudbury will have its own cancer centre, but that is not going to be up

and running until late 1990 or early 1991. When it does, we are going to need another 30 radio-therapy technologists in the Sudbury area. We are going to need another 20 to 30 at Mount Sinai Hospital for its increased capacity. We are looking at a year, a year and a half, perhaps two years down the road. The problem is immediate for the people in northeastern Ontario, as it is for the people in eastern Ontario itself. There are still some 700 to 1,000 patients that the Princess Margaret Hospital cannot handle now.

The Speaker: Do you have a question?

Mr Eves: What is her ministry doing to work in conjunction with Princess Margaret Hospital to take care of these patients now?

Hon Mrs Caplan: I am pleased to say to the member that Dr Aileen Clarke, the cancer program co-ordinator for the ministry, is working actively, not only with Princess Margaret Hospital but also with the Ontario Cancer Treatment and Research Foundation and its eight regional clinics to make sure we have the plans in place to be as flexible as possible in meeting these challenges, not only as they arise but also so that we can plan better for the future.

TAX INCREASES

Mrs LeBourdais: My question is to the Treasurer. My constituents in Etobicoke West are growing increasingly concerned about the total tax burden they are being asked to shoulder. I would like to ask the Treasurer what I can say to my constituents, many of whom are seniors, who worry that they will be left with an ever-decreasing percentage of personal, disposable income as governments at all levels engage in what the voters see as a series of prolonged, incremental tax increases to pay for the massive and ever-growing demand for services? Quite simply, they want to know when it is going to end.

Mrs Marland: Good question.

Hon R. F. Nixon: I thank the honourable member and I believe it is a good question. It reflects the views put to me by many people, although, oddly enough, not by critics from the opposition to any great extent over the last three weeks since the budget was brought down.

In answer to the question, I simply want to point out something of the more significant aspects in the honourable member's question that had to do with the ever-increasing demand for services. These are not demands lightly arrived at. They are for quality in medical service. We were just talking about inadequacies that have

been perceived in the provision of cancer service and the fact that we made a commitment of \$200 million for the improvement of those services.

There are complaints to some extent about the inadequacies in our school system and the fact that there are too many children being educated in portables. We all agree this is not a proper way to educate our young people and that is why we have made huge additional commitments to capital to build new schools, growing from about \$78 million in the year we took office to \$300 million a year now, and still the need is unmet.

I know the Speaker would not like me to continue that into every area of endeavour, but the honourable member would know that it also goes very strongly for environmental services, job opportunity development and roadbuilding. In the government, we try to balance these demands for services with the ability to pay. While some taxpayers feel the taxes are too high, our judgement really is that we have struck a balance—

The Speaker: Thank you.

Mrs LeBourdais: A closely related matter of concern to my constituents in Etobicoke West is the question of why governments are increasingly engaging in a transference of tax burdens on to lower levels of government. In my riding, these activities are generating a substantial amount of concern in the local media as certain elements in the municipality react by blaming Queen's Park for the necessity of increased local taxes. For the benefit of those voters who are concerned about this particular issue, can the Treasurer please explain why this is necessary and whether or not we can expect this trend to continue.

Hon R. F. Nixon: Once again, I thank the honourable member for the question since she represents part of Etobicoke. I have found it very difficult to bear the inclusion, in the tax bills in that municipality, of a reference to inadequate provincial support. I thought it was irresponsible of that administration to send that out to the taxpayers when they know as well as every other taxpayer in this province that the grants to the municipalities this year are going up by eight per cent. While they may feel those are inadequate, they should know that so far in this decade the increases have been an average of 7.2 per cent. As a matter of fact, the grants are larger than the average.

I believe local taxpayers are perhaps wiser than politicians at the federal, provincial or local level seem to perceive. They can make their own judgements.

1430

As a matter of fact, I would like to draw the attention of the honourable member and the mayor of her city to page 99 in this year's budget, and I will quote just one line, "The total amount of outstanding long-term municipal debt declined from \$3.2 billion in 1982 to \$3 billion in 1987," while revenue increased from \$7.8 billion to \$11.6 billion. It says, and I simply quote further, "Indeed, municipalities could borrow up to \$7.9 billion to finance the construction of capital projects without exceeding OMB guidelines."

I do not want them to borrow money, but they should not expect—

The Speaker: Thank you.

Interjections.

The Speaker: Order.

PENSION FUNDS

Mr D. S. Cooke: I have a question for the Minister of Financial Institutions. I am sure the minister is aware of the issue concerning the B. F. Goodrich pension plan and the fact that when the B. F. Goodrich plan was folded into the Uniroyal Goodrich plan the \$3.5-million surplus was not transferred.

Is it the position of the minister, as it is ours, that the \$3.5 million belongs to the workers; and if he believes that, what is he prepared to do to reinforce the Pension Commission of Ontario's position, which is that the workers should be consulted and, I would assume, that the \$3.5 million should be transferred to the new pension plan so the workers can access it to improve their benefits? What is the minister prepared to do to reinforce that position?

Hon Mr Elston: The issues surrounding what is done with particular pension plans, of course, must be dealt with under the auspices of contracts and obligations and agreements. The pension commission is there to go through those issues. I have recently seen some correspondence which has talked about the issue and I am examining it now with respect to what is available, the types of obligations that have been undertaken and committed to, but at this point I am unable to indicate any further action on my part.

Mr D. S. Cooke: It is exactly because of that wishy-washy position that the government has taken on surpluses that workers are losing out and not getting access to surpluses, and companies are taking contribution holidays.

I would like to ask the minister if he is aware of a comment by the president of Uniroyal Goodrich, Bill Davis, who said in an interview—

Interjection.

Mr D. S. Cooke: Yes, Bill Davis. There are more than two of them.

Uniroyal Goodrich president Bill Davis said in an interview in May that the company can't afford to provide indexed pensions because it would be the first in the tire industry to do so.

Does the minister not realize that if this surplus was transferred to the new pension plan, they would be able to afford improvements in benefits? Does he not feel that if this money belongs to the workers—it is through deferred wages—that would be appropriate and he should reinforce that by legislation?

Hon Mr Elston: As in each case with respect to pension obligations, the first and most important piece of information is exactly what terms and conditions are set out in the contract that establishes the pension. The member knows and I know that when decisions are made with respect to surplus, they do turn on the wording.

The member has made certain assumptions, perhaps—or maybe he has studied the document more than I have—that in fact I have not been able to find. The issues have got to turn on the contract, and the issue of improvements with respect to any pension is going to be based on the way in which they are going to be funded.

One of the problems that I have with pensions is that the contract which is established between the people who bargain the terms of their compensation—the member has indicated that in this case it was a bargain for deferred wages—is established between two private and independent parties. I come into the agreement only after the fact in trying to deliver what the contract indicates should be delivered.

I am looking into the issue that the member said I have to look into. Of course, the role I have is also supplemented by the commission, whose obligation it is by legislation to do certain things, which that member knows about full well but perhaps is unwilling to admit fully. The pension commission has the ability to make certain rulings.

In any event, I am looking at what the contract says, I am looking at what the agreements were between workers and Goodrich and I am looking at what in fact are the circumstances. But I am not prepared to stand up and—

The Speaker: Thank you.

ELECTRICITY DEMAND AND SUPPLY

Mr Cureatz: On behalf of all my Conservative colleagues in the back bench who are fully supportive of me on this question, might I bring

to the minister's attention that on 7 June the member for Oxford (Mr Tatham), our poet laureate in the assembly, brought to the minister's attention and asked of him the manner in which he hoped to save 45,000 megawatts by the year 2000.

In his response, the minister said, "a 2,000-megawatt target for incentive-driven conservation, 15,000 megawatts for information-driven conservation and 1,000 megawatts for load shifting." Is this realistic? In light of certain public attitudes presently towards conservation, does he really think he is going to meet that kind of target by the year 2000?

Hon Mr Wong: Yes, I think that looking at the progress Canada and Ontario have made, even since the 1973 oil price shock until 1986, one would see that the energy intensity of Canadians improved by 17 per cent. In plain English, the amount of energy used per unit of economic output improved because Canadians and Ontarians believed enough in energy efficiency and energy conservation measures to accomplish these types of results.

On the figures that the honourable member has talked about, I think he meant hundreds. We were talking about a 4,500-megawatt target by the year 2000, and it was broken down into three specific categories. Because they have been broken down that way, they make it more comprehensible and credible to understand these conservation measures and how they are going to be achieved.

Mr Cureatz: The Minister of Energy has greater hope than I do in terms of ensuring that Ontario residents are going to have the needed electrical supply in the province. I have asked the minister in the past, and I am going to ask him again, in light of the fact that the demand for electricity is increasing and that I do not have faith in him looking in his crystal ball and predicting—contrary to my colleague from the New Democratic Party—the kinds of savings he is going to have in terms of conservation, will he share with this House again when he plans on making a decision on building another major electrical producing plant, what kind is it going to be and when is he going to start construction on it to ensure that we are going to have adequate electricity in the event that his crystal-ball-gazing is not adequate?

Hon Mr Wong: The decision will be made after two things have occurred. The government is waiting for the specific preferred plan from Ontario Hydro this September, which follows a

two- or three-year process of reviews emanating from the demand/supply planning strategy.

In addition, this government has promised and indicated to the people that because of the profound influence that energy and electricity have on this province, the public and special interest groups will also have the opportunity to examine this preferred plan.

So the answer to the question as to how and when those decisions will be taken is after those two events have occurred.

DARLINGTON NUCLEAR GENERATING STATION

Mrs Grier: My question is also to the Minister of Energy. I have raised before in this House the need for a baseline health study of residents in the area around the Darlington nuclear generating station. Recently both Newcastle town council and Oshawa city council indicated by motion that they supported having such a study done. Also, we now know that Hydro has delayed for six months the opening of the Darlington nuclear generating station.

Will the minister agree to use this six-month opportunity to undertake a baseline health study of the people surrounding the Darlington nuclear generating station so that after the plant opens there is comprehensive and accurate data with which changes in public health can be compared?

1440

Hon Mr Wong: My ministry is in constant consultation with my colleagues at the Ministry of Health and also at Ontario Hydro. If my memory is correct, after phase 1 of the recent study had been completed, I indicated that I completely agreed that the second phase of that study should also be continued and completed so that we all, as citizens of this province and those of us who live or work near these plants, would have the best possible research information on which to make some decisions.

Mrs Grier: I appreciate the minister's commitment to having that data because, frankly, we lack it in many or all areas of this province. Can the minister give us some assurance that the second phase of the study he is contemplating will, in fact, provide the kind of data that are required? In other words, will it include clinical studies of the residents? Will it include detailed information on birth abnormalities? Will it include data on cancer incidence? Will it include information on where a mother lived during a pregnancy and on residents who—

The Speaker: Thank you. That is about five questions.

Mrs Grier: —may have moved to that area from the vicinity of the Bruce nuclear plant?

Hon Mr Wong: I cannot give the honourable member that assurance because it is not my ministry which is doing the study or which is responsible for the study. However, I will undertake to inquire and make sure that the honourable member's concerns and specific points are raised to the people who are doing the study.

SALE OF BEER IN STADIUMS

Mr Brandt: My question is to the Minister of Consumer and Commercial Relations. I would like to ask the minister about the decision he has made with respect to allowing alcoholic beverages, mainly beer, to be sold through some stadiums in Ontario but not others. I cite as a specific example the fact that he has disallowed any sale of beer at Labatt Park in London, where they have a professional baseball team at the double-A level of play. It is one of the few, if not the only, double-A baseball team in all of North America where their ballpark is prohibited from allowing the sale of beer. Could he give the House some indication why he made that decision?

Hon Mr Wrye: The honourable member will remember, as a member of the previous government and because I think he was a backbench member in this House when it was first announced, that we would have the sale of beer in four stadiums in Ontario: Exhibition Park, Varsity Stadium, Ivor Wynne Stadium in Hamilton and Lansdowne Park in Ottawa and that it would be done as a pilot project. That pilot project has proceeded for a number of years, four or five in total, and it has not been without some problems, as the honourable member would know.

In making the decisions, we have shifted the licence without changing the true definition of what at the time was meant by professional soccer, professional football and professional baseball. We have moved that licence to the SkyDome. At the same time, we have brought in a number of enhancements, including designated nondrinking areas and greater security in terms of abuse of alcohol, not only by those who are selling and serving it but by those who are providing security. We hope to be able to have a good look over the next period of time at how those enhancements are working.

At that time we did not feel it was appropriate to extend it to London or indeed to the—

The Speaker: Perhaps the debate could continue with a supplementary.

Mr Brandt: The decision regarding the stadiums that were originally given the right to sell alcoholic refreshments was made long before a double-A professional baseball team was franchised to the city of London. I would say to the minister that there appears to be very little, if any, distinction in terms of the definition of the word "professional." These are paid professionals. I might add that the minister is well aware that there are many amateur tournaments in which the distribution of beer is, in fact, licensed on a daily basis or for the duration of a particular event.

Interjection.

Mr Brandt: It happens, I say to the minister; there are all kinds of them.

I would ask the minister if he would not take into consideration at the moment the change in the status of Labatt Park, the fact that they do have a professional baseball team, and make the decision that I believe the people of that area want to see made; namely, that they be given the right to be treated exactly like the SkyDome and other areas where beer is distributed in Ontario.

Hon Mr Wrye: I have had an opportunity to have a conversation on this issue with the mayor of London, Tom Gosnell, and I know Mr Gosnell's views.

I should just share with my friend the fact that there is certainly no magic in terms of double-A baseball or in the fact that they are professional baseball teams. I am sure the member will be well aware that there are three single-A baseball teams in Ontario and that there are a number of other professional-type sports events.

The cabinet looked at this very carefully. It was not an easy issue for us, but at the time of decision it was felt that the project which had proceeded until now should continue, that there had been a number of problems and that it was appropriate to attempt to address the problems within approximately the same parameters that we had had. That was professional baseball at the American League level, Canadian Football League football and some professional soccer and it was decided to leave it at that.

ELGIN-WINTER GARDEN THEATRE

Mr Owen: I have a question for the Minister of Culture and Communications (Ms Oddie Munro). We are all aware that the Elgin-Winter Garden Theatre is being restored. We are all aware that every person involved in heritage in the city of Toronto and in this province has

recognized the importance of this particular structure.

In the restoration of heritage projects, invariably we meet with various difficulties and unforeseen expenses. I wonder if the minister could advise us as to where we stand with regard to the restoration, what problems have been met and overcome and when we can look to the opening of these two theatres.

Hon Ms Oddie Munro: As the member will recall, the federal and provincial governments have contributed \$11 million—\$5 million from the federal government and \$6 million from this province—towards the reconstruction and restoration of the Elgin-Winter Garden Theatre.

The Ontario Heritage Foundation has embarked on a fund-raising exercise, hoping to raise \$7 million; I understand it has raised \$2 million. The restoration is continuing with an army of volunteers and tradespeople doing the work. I understand that the restoration will be completed in the fall and that the co-producers expect to have an audience for the first production in December. I understand the production is *The Wizard of Oz*.

Mr Owen: I commend the ministry and all the people involved, particularly the volunteers, for what I understand is a very credible job. The difficulty we find with this type of restoration is that when it is completed and has to venture into the field of having to generate its own income, can it be done? My next question, which is possibly more difficult, is how viable will the operation and function of these two theatres be when they are all completed, when they have to be bringing in the crowds and paying for their operation?

Hon Ms Oddie Munro: The Ontario Heritage Foundation entered into an agreement with the WGC Facility Management Corp to operate the theatres. That particular corporation was selected on the basis that it would be able to operate. I have every confidence that this in fact will happen.

Just as an added comment, I would encourage members of the viewing audience to ask themselves whether they would support the theatre by attending opening night. Also, I would say that the fund-raising committee will accept small donations from the public if it sees fit; I think it is a great way for ordinary theatre-goers to give \$5, \$10 or whatever amount to be able to see the restoration of this truly marvellous theatre.

CORRECTIONAL WORKERS' LABOUR DISPUTE

Mr Farnan: I have a question of the Minister of Correctional Services. The minister must be concerned when the Ontario Public Service Employees Union spokesperson Paul Bilodeau says:

"Relations between guards and the province is the worst they have been since we had the illegal strike in 1979, and we seem to be heading down the same road." The minister must bear some responsibility for the fact that correctional officers have been without a contract since December 31, and that talks between the ministry and the union have been nonexistent since April 6.

Does the minister not recognize that for these employees, who are in a highly stressful work situation where understaffing and overcrowding are commonplace, the government's refusal to budge from its wage increase offer of 49 cents, or three per cent, amounts to deliberate provocation?

1450

Hon Mr Ramsay: I thank the member for this question. As he knows, there is a collective bargaining process in place. That process is being used by both sides of the dispute. The union has applied for arbitration, and a hearing will be heard on 3 October of this year.

Mr Farnan: It is clear that it has broken down because the ministry will not come back to the bargaining table.

Given that the less-than-average life expectancy of correctional officers is due in part to the stress of their work situation and that a lower-than-average number of officers live to enjoy retirement, will the minister recognize that an early retirement plan after 25 years of service is a legitimate request on the part of correctional officers and will he instruct his bargaining team to give serious consideration to this justifiable demand on the part of correctional officers?

Hon Mr Ramsay: With respect, the member is addressing his question to the wrong minister. As I am sure he is aware, labour negotiations between the government's employees and the government itself are handled by the Management Board of Cabinet through its Human Resources Secretariat. These are the people carrying on the negotiations, and as I said earlier, they are being carried on in a responsible way.

LANDFILL SITE

Mrs Marland: My question is for the Minister of the Environment. The minister is well aware

that last month, Durham region agreed to participate in the greater Toronto area long-term waste management strategy. He also knows that this plan requires member regions to nominate a contingency landfill site for use by all five regions until the long-term plan is up and running.

On 17 May, Durham region agreed to nominate a controversial site in North Pickering as its contingency site. My question is simply this: Will the Minister of the Environment guarantee that this site and any other contingency site put forward by a GTA region will undergo a full environmental assessment under the terms of the Environmental Assessment Act, not just the Environmental Protection Act?

Hon Mr Bradley: The leader of the Conservative Party applauds as I get up to answer this question. I have listened from time to time with a good deal of interest to the leader of the third party and some of his colleagues, who have consistently tried to portray the facts that there are very few landfills being approved in Ontario and that the process is so slow and have asked, "When is the government going to do something to address the problem?"

The various regions came together in discussion through the auspices of the regional chairmen to attempt to address that particular problem. They did get together and indicate that they would, first of all, look for a long-term solution, which would require a good deal of time, effort and energy to come forward with the answers to all the environmental questions. In the interim, they might need another site for the purpose, and each one of them would agree to nominate a site for the purpose of an interim use, in case it was required.

I have indicated very clearly that when we look at the long-term efforts of all these municipalities, that will require a waste management master plan. It will require all the provisions of the Environmental Assessment Act, including a hearing and so on. The interim sites, of course, will be very carefully scrutinized. All of the environmental impacts will be looked at.

Mr Cureatz: The minister is going to need some water by the time we are finished. We have not quite understood his response yet.

Is the minister going to subject the interim site, which has now been located in the riding of Durham West, to a full hearing? He is almost on the verge of telling us that. I know the Speaker would be very reticent to stop him in full flight when he answers my question.

When we finally get that answer, will the minister then also tell us what the step-by-step procedure is going to be from his ministry to find the long-term, permanent site for Metropolitan Toronto and the region of Durham?

Hon Mr Bradley: By the way, the member for Durham East has indicated an ongoing interest in this subject, I should say for his constituents who have watched question period this afternoon. He has followed with a good deal of interest many of the candidate sites that have been proposed, both informally on an interim basis and informally on a long-term basis. I appreciate his interest. I recall he brought some paraphernalia to the Legislature before to graphically demonstrate that.

I do want to say that, knowing the desire of the leader of the third party, for instance, to ensure that we do not face any particular crisis, there would have to be interim sites at least potentially available for use until such time as the long-term sites were there.

Of course, there will be full environmental scrutiny of that. There will be an Environmental Assessment Board hearing. All of the site-specific attributes or nonattributes of any particular potential site will be looked at with a good deal of interest in this regard.

In terms of the long-term efforts that the member mentions, there will be adequate opportunity for input from the member, from people in his constituency and from virtually anybody in the province.

Interjections.

The Speaker: Order. Please allow other members to ask questions.

ROAD MAINTENANCE

Mr McGuigan: The township of Romney in the county of Kent has a sweet headache. It is now becoming the new Turner Valley in oil rigs and oil traffic. The roads there which were built for local use by farmers and local people are rapidly breaking down. I would like to ask the minister if he can find any way for the township to assess money to take care of the very heavy expenses of maintaining these roads.

Hon Mr Kerrio: I assume the member is thinking in terms of a recent bill that we just passed, the Aggregates Act, carried through committee by my friend the member for Durham-York (Mr Ballinger) and supported, I think, by all parties, which would address the question of road breakup in and around aggregate extraction.

I am very pleased that we were able to do that, but the fact of the matter is that there was a great

deal of discussion by the municipalities, the aggregate producers and all of the interested parties before we were able to take into account the kind of road breakup that was caused by these heavy vehicles. Of course, another dimension was the rehabilitation, but the member is not asking that question about rehabilitation.

I think this act was passed with a great deal of discussion by all the parties who were interested. I would suggest to the member that I am very much prepared to examine, in keeping with his request, how it might tie in with the initiative that was taken by this government to help municipalities and all of the people affected by aggregate extraction. Yes, I am willing to examine that and see what we can do.

Mr McGuigan: The last two years in Romney have been very dry, which has contributed to the longevity of the roads. This year has been the wettest year, so they are suffering very badly. I just want to point out to the minister that we should move as quickly as we possibly can.

Hon Mr Kerrio: Yes, of course. The other problem that exists has to do with the design of some of the roads in and around specific areas, because where we have them designed to carry these excessive loads, there is absolutely no problem.

In this instance, where the roads were not built up to those standards, it would be worth examining how we might react to the member's question. We certainly will get back to him to see if we can satisfy his concerns.

1500

PETITIONS

NATUROPATHY

Mr Epp: I have a petition which I would like to present on behalf of the member for Kitchener-Wilmot (Mr Sweeney). There are 300 names and they are all patients of Dr Bender in the city of Waterloo.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas it is my constitutional right to have available and to choose the health care system of my preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise

their art and science to the fullest without prejudice or harassment."

Mr Reville: I have a petition in precisely the same vein, as it were.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas it is my constitutional right to have available and to choose the health care system of my preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

This is signed by 109 residents primarily of Toronto. I have affixed my name thereto and I agree.

Mr Hampton: I too have two petitions on this same subject. They are identical and they read as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas it is my constitutional right to have available and to choose the health care system of my preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

Those petitions are signed by about 150 individuals residing in Etobicoke-Humber and the surrounding area, and they are also signed by me.

SECURITY IN PREMISES USED BY PUBLIC

Mr Sterling: I have a petition signed by 177 people from various parts of Ontario, including Sault Ste Marie, Pickering, Beamsville and a number of other areas.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"We request that the Ministry of the Attorney General withdraw Bill 149, An Act to amend the

Trespass to Property Act, which we believe is unnecessary and without mandate.

"While we respect the rights of minorities and youth, whom Bill 149 alleges to protect, we oppose the way in which the proposed legislation will erode the ability of owners and occupiers to provide a safe and hospitable environment for their patrons or customers. We are further concerned about the legislation's potential for increasing confrontation in the already difficult process of removing individuals who create disturbances on publicly used premises."

I have signed that petition.

WORKERS' COMPENSATION

Mr Kormos: I have a petition.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas Bill 162 (a) does nothing to improve lifetime pensions (especially for disease and soft-tissue injuries); (b) denies injured workers the right to rehabilitation; (c) offers re-employment rights that are less than afforded by the human rights act; (d) gives too much discretionary power to the WCB to deny injured workers benefits; (e) restricts injured workers the right to appeal;

"We request this assembly to advise the Labour minister, the Honourable Gregory Sorbara, to withdraw said Bill 162, An Act to amend the Workers' Compensation Act."

It is signed by Todd Bidgood of Cross Street in Port Colborne and by nine others and, of course, by myself.

TEACHERS' SUPERANNUATION

Mr Haggerty: I have a petition.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"Whereas the government of Ontario in its discussions with the Ontario Teachers' Federation on amendments to the Teachers' Superannuation Act has refused to allow an equal partnership between teachers and government in management of the pension fund, establishment of an acceptable contribution increase, benefit adjustments, equitable treatment of future surpluses and a satisfactory dispute resolution process,

"We, the undersigned, petition the Legislative Assembly to insist that the Treasurer of Ontario negotiate with the Ontario Teachers' Federation towards an equitable settlement."

These are two petitions with a total of 19 petitioners and I have attached my name to them.

NATUROPATHY

Mr Ruprecht: I have a petition signed by 108 residents of the Parkdale riding.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas it is our constitutional right to have available and to choose the health care system of our preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

Mr D. W. Smith: I have three petitions here that are identical.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

It is signed by 30 individuals who come from the greater Toronto area and Collingwood and Hamilton.

Mr Farnan: I have a petition. It reads:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas it is our constitutional right to have available and to choose the health care system of our preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

This petition is signed by 222 citizens of the Cambridge-Kitchener-Waterloo area. I have attached my name and I support this petition in its entirety.

INTRODUCTION OF BILL

LANDLORD AND TENANT AMENDMENT ACT, 1989

Mr Philip moved first reading of Bill 38, An Act to amend the Landlord and Tenant Act.

Motion agreed to.

Mr Philip: I am sure that the Attorney General (Mr Scott) in particular will be interested in this bill since he has expressed a variety of different conflicting opinions on it, but the purpose of the bill is to make void any provision in a tenancy agreement inhibiting a tenant from keeping a pet in rented residential premises. An exception is provided in the case of a rental condominium unit if the declaration of that condominium prohibits owners from keeping pets.

ORDERS OF THE DAY

DEVELOPMENT CHARGES ACT, 1989 (continued)

Resuming the adjourned debate on the motion for second reading of Bill 20, An Act to provide for the Payment of Development Charges.

Mr Breagh: I take it we have begun the process on Bill 20, even though I do not see any minister present?

Hon Mr Conway: The parliamentary assistant to the Minister of Municipal Affairs, the member for Yorkview (Mr Polsinelli), began, so he will continue.

1510

Mr Breagh: Oh, it is no wonder I missed it. The parliamentary assistant tried to start a bill.

We are going to oppose this bill. I want to make a couple of comments about it because I think it deserves a little explanation. Many of us who spent a little time on municipal councils a decade or so ago were probably sitting around a meeting one afternoon when our treasurer came in and said, "There's so much growth going on in our municipality that the normal process we use to finance the front-end cost for services is really beginning to show a strain."

A decade or so ago in most of our municipalities the common practice was that one would set aside moneys in general revenues or try to allocate specific amounts of money for the particular purposes of building new roads or sewers, providing park land space, building libraries or whatever it was that the municipality was expected to do, so that you had some kind of secure financial picture of where your municipality would be five years from now and 10 years from now.

At that time Ontario was adamant that municipalities should be particularly cautious about their financing. A municipality should not get itself in a position where it would run a deficit and it should be careful about the long-term financial commitments it was making to develop-

ment in its community. In areas like mine, where the city of Oshawa had kind of doubled its population in the last 50 years and was now looking at doubling it again in probably the next 10 years, the growth was coming very quickly.

Most of these areas are in and around Metropolitan Toronto, and those of us who live in those areas know—anybody who drives the roads is aware—that the growth is coming in huge amounts, on a scale that municipalities are having some difficulty dealing with and are certainly having a great deal of difficulty financing. So one of the proposals that was put to many councils was simply this:

"The choice is going to be stark and it's going to be made right now. Either you put a stop to all of this development, because this municipality cannot afford it, or you provide some kind of funding mechanism that allows the development to be kind of self-sustaining."

That is the basis of the lot levy argument. It began in and around Metropolitan Toronto where the growth was the heaviest. I have never had a problem with lot levies, because it seems to me that you do not like them but you either put in place some kind of a lot levy system whereby you try to recover the front-end cost of new housing for the most part and finance the services that it requires right up front from the development industry—and there should be no hiding the fact that it eventually works itself into the price of a unit—or you do not allow the development.

The battle has raged for a long time now about whether these are good or bad. Some of the things that people were accused of, I think, are quite wrong. I do not think lot levies have very much to do with the actual price of housing. In my community, the first few years after we instituted lot levies the price of housing actually dropped. I think the price of housing has a whole lot more to do with whatever the market is in a given area than any kind of impost charges put on by the municipal government. It certainly seems to have nothing at all to do with the cost of building materials. It does not seem to have very much to do with the cost of labour that is involved.

It does seem to have a lot to do with two things: who ultimately bought the land for the last time before it went into actual development and what is the going rate for real estate in that area. Once you are outside of those two major standards, I do not think very much else has a great effect, though I would admit that it has some.

In this year's budget—and this bill is a centrepiece for the legislation that flows from

that budget—it seems to me the Treasurer (Mr R. F. Nixon), although I did not hear him say it, really carved out a watershed for financing municipal government in Ontario. In a number of ways he did some things which should be quite alarming.

First of all, although there is no such entity, he identified, in practice if not in law, something called the “greater Toronto area.” That is essentially what we are talking about in this bill. I am having an increasing amount of difficulty recognizing not that there is a greater Toronto area—anybody who drives around Metropolitan Toronto knows that—but that there is a whole framework now and appears to a whole ministry evolving around something called a “greater Toronto area” that has no status in law.

Whether we are talking about Bill 20 and the ability of a municipality to collect lot levies or, for the first time, a school board instituting a system of lot levies, or whether we are talking about garbage collection, highways, a different rate of taxation or taxation for different purposes, this greater Toronto area thing seems to be firmly set in the mind of this government, despite the fact that it has never taken the time or bothered to establish a legislative framework for that. That is the first caution I would like to put on the record this afternoon.

If this government chooses to build a framework called a greater Toronto area—and it seems to me it is doing it with great regularity—it had better get to work now and define that in legislative terms, and it had better have a ministry that is related to that which has some basis in law.

I have no objection to the Premier (Mr Peterson) calling all of the people who chair the various regions down to the office for a little bull session. That is fine. But at this point in history there is much more than that coming out of it. This is not a discussion group any more. Now, out of this greater Toronto area scheme, there are development proposals and proposals of a substantive nature to deal with things like garbage and transportation. The ideas are going back to the local councils almost as a fait accompli; not that there is a real choice, not that the local council has much input, but “Here is what the greater Toronto area is going to do, and this is what your region will do to kind of fit into that pattern.” That is a dangerous precedent.

So, the first thing I would like the government to do this afternoon is give some thought to what it is doing here. It cannot have a senior civil servant like Gardner Church, bright person that

he is, ambitious and aggressive civil servant that he is, function as a ministry unto himself with no framework in law. It really cannot do that. That is a really dangerous business.

It cannot have a major proposal being thought out, developed and handed to council as a fait accompli, with no record of where the proposal came from; again, another dangerous precedent.

That is the first caution that I want to put to the government today. This concept of a greater Toronto area, however the government might be using it, needs something in law to anchor it. It needs to have an official recognition and it needs to begin dealing with its matters in a public way. It is the public’s business, and it is simply not appropriate to have all of that deal struck in private, with no records, no minutes, no one really knowing how people got to be part of this decision-making body and no real accountability.

The second thing that is part of what the Treasurer was trying to do here was to change the factors that a municipality has in order to raise revenue. In this bill, he certainly has done a great deal of that.

I do not object in a strenuous way to the idea of lot levies by municipalities. I view them as a necessary evil. I would really rather not have them, but I understand that when the treasurer of a municipality walks into a council meeting and says, “There is no more money in the till,” he has to get the money somewhere.

I have listened to the development industry argue against lot levies for a long time. I have watched them challenge it in court. I have watched the Association of Municipalities of Ontario try to deal with this. It seems to me they are now a part of Ontario’s life, and whether we like them or not, they are here.

What is new and a part of this bill is to say that now school boards will do the same thing. It is interesting, as I get correspondence from various school boards around Ontario, to see the reaction of the boards. Some boards welcome this proposal with open arms, and I admit that. They desperately need funding and they need funding now. They have entire schools that are housed in portables. They have huge populations that they have to deal with this September, and they have no really firm idea of what that will be or where these people will live. Their attempts to try to plan the growth and the structure of their own school board is hampered immensely by something that is totally out of their control. As a matter of fact, it is totally out of the hands of everybody.

The theory is that under the Planning Act, a local municipality has some measure of control on the development industry, and it does; but the one thing that has always puzzled me is why there is one key element missing; that is, there is no real control on when a development is actually put on the market.

All the fences are controlled, the landscaping is controlled, the size of the sewer pipe is controlled, how many lamp stands will go in is controlled, how many fire hydrants is controlled, but when the development is actually built is not controlled.

1520

I note with interest that the Association of Municipalities of Ontario, in its latest response to statements by two ministers now on a housing policy, has made that part of its package. They want the government of Ontario to provide them with a mechanism which says, "We will grant you approval to build, but you've got to use it within a set period of time or you lose it."

I am an advocate of that. I think it is a reasonable thing to say to a developer who is coming into a municipality and by his actions in the private sector causing literally millions of dollars of public funds to be spent: "That's fine. This is how you will build it, this is what it will look like and this is when it will happen."

In my area and in all of the growth areas around Toronto, that is the major problem. The lands which are now being developed for housing and commercial and industrial development were all lands which were approved a decade ago and all of those municipalities have been sitting around for 10 years or more waiting for somebody to decide to develop them; and that is the problem.

A school board which thinks it knows there will be 2,000 new homes built in this school area this year does not really know that. It has no control over it, nor does the municipality. The developer does. The developer builds the houses and the people move in as he sells the units, but as soon as the people move in, then the demands for schools, the demands for fire protection, the demands for all kinds of recreational facilities, the demands for policing start immediately.

One of the things that is a vexing problem—and I do not see a solution here, to tell the truth—is that people are now moving into little areas like Newcastle, for example, the municipality next to mine, which up until now has consisted of basically one town, Bowmanville, and several smaller villages around it, but has essentially been a rural area. It now has 1,000-acre tracts at a

time in housing development built, sold and occupied.

Most of the people who bought there came from Metropolitan Toronto. Their concept of a school system is a lot different from the concept of a school system that existed in the town of Newcastle last year. They have a totally different expectation of what kinds of recreation facilities should be made available to them. They have a different concept of what kind of policing should be available. They have a different concept of what kind of hospital care should be made available to them. In everything that people expect from municipal government, their expectations are much, much higher than the people who lived in Newcastle even three or four years ago.

I understand, in a sense, what the government is doing, but what I think is wrong about it is simply this. In this budget, without really saying so, the Treasurer of Ontario substantially alters the financing process for a municipal government, both municipalities and school boards, and that is a watershed in the history of Ontario.

If you advocate, as I do, that education, for example, is essentially a provincial responsibility, it is no more. Under this bill and under several other statements that were made during the course of the budget, the Treasurer of Ontario said, "You're on your own," and for the first time, the Treasurer of Ontario said: "I'm not running a deficit for this kind of stuff any more. You run it."

In his statement, in this bill and several other bills that will be processed shortly, the Treasurer of Ontario made some real demarcation points obvious to the people who are active in municipal politics.

He said basically this: "Lot levies are coming under our control as a provincial government by means of this act." He said to school boards, "If you need money to build schools, you institute lot levies." He said to school boards and municipalities: "Run deficits. Don't come to us and look for money; you take the debt."

That is a major shift in policy on the part of the Treasurer of Ontario that I have not seen before.

Hon Mr Grandmaitre: That's not it, Mike.

Mr Breagh: The member can waggle his finger all he likes, that is the way it is and that is the bill that we have in front of us.

Some of the school boards, like mine, like this idea, to tell the truth. The Durham Board of Education likes the idea that it will be able to raise additional amounts of money locally. I think it fair to say that they do not like the lot levy

notion, but they are desperate for funds, absolutely desperate. They have tried as best they can to struggle along for several years now under a growth and development scheme that has nothing to do with the school board. They had no say in the planning, they had no—

Hon Mr Conway: By Erinsville standards, they're pretty flush. You know it.

The Deputy Speaker: Order, please. No interjections, please.

Mr Breagh: The government House leader wants to make the rest of Ontario as buoyant as Erinsville. Hopkins' General Store is the sole commercial venture in Erinsville. The government may be on the way to making Hopkins' General Store the sole commercial venture for all of Durham, but I hope not.

Hon Mr Conway: The Lakeview public house.

Mr Breagh: The Lakeview Hotel—the member's geography is faulty too—is not located in Erinsville. I admit it is in the greater Erinsville area, but it is not in downtown Erinsville, and it is nowhere near the mass transit line, which is a Chevy pickup truck going down Highway 41.

I think the school boards that have written to me on this matter share this concern. Something has to be done now. What they were anticipating, quite frankly, was not this. They were anticipating that the government, as previous governments have, would listen to their well-constructed arguments about financial need and respond in the traditional way of finding, under the normal grant system, a way to fund their obvious need for schools.

There may be somebody in here who truly understands how schools get built these days, but I am not one of them. I have tried to decipher the process whereby schools get permission to build, but it is indecipherable. I have tried to figure out the rationale behind the approval process for the building of schools, but it seems to me there is not any. It seems that the government is interested in making statements from time to time which say, "We would like you to build more schools," and the only thing missing is the cheque to build them. School boards are building schools with local funds and getting reimbursed a couple years later by the province.

School boards are being asked to do a great many things these days. Members ought to listen to some teachers I know talk about the pupil-teacher ratio stuff in the primary grades and how that is being implemented. There is nobody I know of who argues with that concept, that you

ought to have a lower pupil-teacher ratio in the primary grades. That is a good concept. The problem is, if you screw up everybody else in the school you have not done much of a service. That is what the government is doing. That is the implementation problem. You cannot implement a good idea without looking at all aspects of it, and that is what is wrong with this bill in a nutshell. It does not give the proper amount of consideration to the financial needs of municipalities or school boards.

I have some other reservations about the bill, and I want to get them on the record here this afternoon too. Whether you like or do not like lot levies, the process whereby a municipality arrived at a lot levy was at least an open one. People who were going to be affected by the lot levies had, first, the chance to appear before the council. Second, they had a chance to observe the council as it went through the information it gathered and made its allocation under its imposed fund. They had a chance to observe very carefully how the municipality came at a lot levy of, say, \$4,000. It knew how the money would be distributed afterwards. It had a chance to appear before that council and argue there, and several parts of the development industry have taken the opportunity to go and argue before courts on that matter. This sets the amounts by means of a regulation.

Mr Polsinelli: It does not.

Mr Breagh: The parliamentary assistant says, "It does not." Can he tell me how much the lot levy will be for education in this bill? Can he tell me, in this bill, where it sets the level? I do not think it does. The other basic problem I have with the bill—

Mr Polsinelli: It calls for the council to have a public hearing, it mandates the council to have a public hearing.

The Deputy Speaker: Order, please.

Mr J. B. Nixon: Generalities.

Mr Breagh: Here is a generality or a specific thing the member can have. I think that if the Treasurer of Ontario were an honest person he would have stood up and said in his budget, "We are changing the rules for financing municipal government in Ontario." That is a pretty specific thing, and he chose not to do it. He chose to introduce this and several other bills that I think people are going to challenge in the courts as being illegal because they are unfair.

I do not know how one can justify establishing something called a greater Toronto area when they have never even bothered to establish in law

what that is, and to proceed from that point on to set out a whole new series of taxation measures based on where people live. Tell me how fair and how honest it is to charge people who live in the village of Newcastle more money for their driver's licences than people who live in the city of Peterborough. Tell me how fair and honest that is. Tell me how specific that is.

1530

Mr Polsinelli: This is not a budget debate.

Mr Breagh: Oh, it is not a budget debate. Then what is this? It looks very much to me like a budget bill, the laws that come out of a budget that implement what you want to do. Is that specific enough for you?

Mr Mackenzie: He doesn't understand.

Mrs Marland: The parliamentary assistant does not understand.

Mr Breagh: I think he should. So I think the problems I have, aside from the interjections—

Hon Mr Conway: They want to spend, but they do not want to take the responsibility for raising the money.

The Deputy Speaker: Order, please. No interjections, please.

Hon Mr Conway: I am talking to the Tories now, not the New Democrats, because they have an affinity with big banks.

Mr Breagh: Please do not intervene. I have not been lectured by a Jesuit in some time.

Hon Mr Conway: Me a Jesuit?

Interjections.

The Deputy Speaker: I seem to have to remind members again of the standing orders on interjections. The member for Stormont, Dundas and Glengarry (Mr Villeneuve) and the government House leader, of course, I would remind you of that. Also, will the member who has the floor address his remarks solely through the Speaker and not the Jesuit. You may proceed.

Mr Breagh: They are all over the place. It is a papal plot. Here I am out without my rosary once again. I stand no chance.

Hon Mr Conway: Do you remember what H. G. Wells said about the Jesuits?

Mr Breagh: Mr Speaker, I have been lectured enough. I am almost ready to yield, but I want to put on the record one or two other concerns that I think need to be said.

I do not think the development charges in themselves are a big deal, but cumulatively, I think we have to begin to recognize that governments are a substantial component now of

the price of a house. I do not accept the arguments some put forward that it is the government of Ontario or municipal government that is driving people away from being able to afford their own home. But I have to recognize that when you total it all up, governments at different levels now are putting into the price of an average home somewhere between \$25,000 and \$30,000. That is a pretty significant component part of the cost of a home. More and more, I think we are expecting people to be able to pay these charges in a substantive way up front before they buy their home.

I understand the financial problems municipalities have. I certainly understand the problems the school boards have had. I regret this is the solution that has been chosen by this government. It seems to me—maybe it is an old-fashioned notion—that the traditional way of funding education is the correct way. This is not the correct way.

I am reminded that now school boards, local municipalities, regional municipalities, public utility commissions and probably a host more people will establish a lot levy system. I understand the temptation there. I understand the financial reality they have to deal with, and I sympathize with that, but I would have preferred, to be honest about it, that the government continue with the traditional method of funding municipal and local government.

I understand that in political terms, there is not much juice in handing money over to municipal governments. Once a year, the Treasurer gets to make a couple of statements about it. Letters go out to the local municipality announcing this, that and the other thing—a grant to build a road or a recreation facility or something like that—but in the main, you do not get much credit for providing millions of dollars to local government to provide schools, roads and all of that. I understand that.

I regret, though, that this has now become a major part of how we finance municipal government in Ontario. I do not know that there will be dire side-effects from it. I do know it is one more thing to add to a growing list of things that have caused the price of a house to rise in general in an area.

I would still argue it is not the key player in all that. I would still argue that in most of the areas we are talking about here, the biggest single factor in the price of a home is the going rate in that area. It does not matter to me, as I look at it, whether it is a big house or a small house or a good one or a bad one. Whatever the market

value in an area is for a home is what is going to be charged, roughly, for that house. But I cannot get around the fact that through different levies, we are adding upwards of \$25,000 to \$30,000 to the price of a home in and around Toronto. That is something I think we will regret.

I will conclude on this note. I wonder how many of our municipalities and school boards, which up until this point have said to themselves: "We don't need levies of this kind. We choose not to do that. We will try to stay within the traditional financial arrangements for our municipality or local school board," will now say: "Why wouldn't we implement levies of this sort even though we don't need to do it? There is now provincial legislation that provides the rules under which it will be done province-wide. Why wouldn't we opt into that?"

I do not think they will squander or misuse the money, but I do think they will be taxing where they really do not need to tax. They will have to do it simply because the rules of financing local education are changed by this bill. That is my argument against it. I think it would have been more straightforward if the Treasurer had stood in his place and said in his budget: "We're changing the way we are going to finance local government and here are the changes. This is one of them, this bill."

But I did not hear him say that. I regret that. Members who know me well will know that I respect him a great deal and have been here in this chamber with him for some time. I respect immensely his skill as a politician and his integrity as the Treasurer of Ontario. But I regret he did not do that, because I think he made several substantive changes in the way we have financed local government, both at the municipal level and at the school board level, and he did not even acknowledge that.

I hope it will not take long before people recognize what has happened. This bill is a substantive change in the way Ontario finances local government. I believe it will have an impact. I think it may do something towards solving the problems of overcrowding in our schools and lack of facilities in our growth areas. But I do not imagine for a moment it is a solution. I believe that to tout it as a solution would be really quite wrong.

What the government is doing is changing the tools whereby a local board of education could finance the building of schools, but it is one tool of many. I am rather leery of the notion. It is not that I think municipalities or school boards are irresponsible people; they are not. But tradition-

ally they have shied away from deficits and this kind of stuff, because they have always tried to keep that on a better keel.

I guess the final concern I have is simply this: At the two senior levels of government in Canada now, whether or not members agree with them or like them, there has been a great deal of deficit financing going on. What this bill does, and what other related bills in the Treasurer's budget do, is to say that really, for the first time in the history of Ontario, a third level of government will get into deficit financing, and that will be local government.

It may be necessary. There may be an argument that says there is no alternative, but I regret it. I regret that we will have developed a new form of taxation here called the lot levy. I do not know whether it is being encouraged province-wide, but it is certainly being facilitated on a province-wide basis. I think that is quite wrong.

I understand all the pressures the Treasurer, local school boards and local municipalities were under, all those things that caused lot levies to come into existence in this province initially. I regret that. I saw it at the time and still see it as being a necessity. Of the two options, stopping development altogether, which would be very difficult to do even if one wanted to and I do not think it is desirable, and going to a lot levy system, this was the better of two evils.

What I regret is that it is now being extended to another level of local government, namely, the school boards. I regret that now it probably will be extended province-wide. That may take a period of time but the bill certainly provides for that. I regret that the invitation is there now for every other agency to do the same thing at a local level or to seek permission of the government to do the same thing.

I look on it as being an unfortunate situation. Frankly, I wish it had been packaged in a different way. I think it could have been brought forward—I do not want to say in a more honest manner—in a more straightforward way. It seems to me that the tragedy today is not just this bill; it is more than that, a change in the way we finance and build local facilities for school boards and municipalities in Ontario.

I regret that change. It seems to me it flies in the face of several things the Treasurer himself has said for some time about how municipalities ought to be financed and about the relationship between the province and local government. I hope this does not mean Ontario is retracting its

obligations, but it seems to me it has surely laid the groundwork to do just that, and I regret that.
1540

The Deputy Speaker: Questions and comments on the member's statement?

Mr Polsinelli: The member for Oshawa would have us believe that municipal lot levies are an innovative scheme designed by the Treasurer to remedy the growth-related problems surrounding the greater Toronto area. The reality is that since the early 1950s and 1960s, many, many municipalities have been collecting lot levies under dubious legislative authority. I would point out to him that many municipalities collect lot levies today. He may be interested in knowing that North Bay, for example, collects lot levies. So do Sudbury, Cobourg, Clearwater, Scugog, Oshawa and Newcastle, and the list goes on and on.

This bill does not radically alter the municipal financing scheme. As a matter of fact, municipal lot levies do nothing but bring a certain rationality to the municipal lot levy scheme. The member indicated that in his opinion the bill sets the lot levies throughout the province. I refer him to section 3 of the bill which says, "The council of a municipality may pass bylaws" establishing lot levies.

It indicates certain things the council has to take into consideration, such as the growth the new subdivision is going to bring to the town. Section 4 of the bill indicates the town must hold one public meeting, a requirement it did not have before, and that anybody who objects at that public meeting can object to and argue his case before the Ontario Municipal Board.

The reality is that what this bill does is that it represents essentially a consensus between the development industry, the Association of Municipalities of Ontario and the Ministry of Municipal Affairs in terms of municipal lot levies. It is bringing rationality into the system.

Mr Beer: I would like to raise a couple of questions with the honourable member with respect to the educational aspect of the bill. I think it is important to underline, in the dilemmas facing the whole educational area, particularly with respect to capital, that what the government is viewing in terms of now permitting school boards to establish lot levies, is to really look at that as another tool boards may have.

Clearly, from the amount of capital we have put into the system over the last number of years and what will in effect be a four-year commitment of \$300 million each year, the province continues, in the normal fashion, in the way we have been involved with capital, to be involved

and will continue to be involved at a rate and at an amount far in excess of what we have known over the past decade.

In terms of the specific element of the local lot levy, that has come in large part from the fast-growth boards as another means by which they can try to deal specifically with the new pupil places. Indeed, the way in which the lot levy is put forward is that those funds would be earmarked for the new construction and so would be most attractive to those boards that are growing.

I think in that context, in terms of the concerns expressed by our colleague, there is a protection, if you will, there and the province will continue on the capital side to be not only concerned about the need for more spaces, but to be involved in a very large way in the funding. I mention that for the honourable member.

Mr Villeneuve: I want to support my friend and colleague the member for Oshawa in his objections to the implications of Bill 20. I want to set the record straight, as I understand it, for the parliamentary assistant to the Minister of Municipal Affairs, the member for Yorkview, who I believe mentioned that AMO was in support of Bill 20. Well, AMO welcomed the release of the green paper on financing growth-related capital needs and AMO supported many of the recommendations in that green paper.

However, for the record, AMO recommended the following: that lot levies for school purposes not be introduced, that the capital grant program to school boards not be reduced, and that growth-related capital costs be defined to include fixtures and equipment. Bill 20 has retained all of these aspects of the green paper. However, it has not listened to AMO's recommendation. I want to make sure that goes on the record because there seems to be a difference of opinion here.

The Deputy Speaker: Other questions or comments? Would the member wish to respond?

Mr Breaugh: I just want to say thanks to the member for York North (Mr Beer) who at least has some listening skills. I disagree with his position but at least he took the time and courtesy to demonstrate some listening skills which the parliamentary assistant, sadly, does not have.

I think it is unfortunate that sometimes, when we get into the course of these debates, we do misunderstand one another from time to time, but I think it is pretty difficult to misunderstand the Association of Municipalities of Ontario when it says it does not support Bill 20. It seems to me that is pretty straightforward. There is not a whole lot of nuance there. To have the parlia-

mentary assistant stand in his place this afternoon and purport that it does—I cannot say what he did, but I think it is reasonably obvious what he did.

Mr Polsinelli: That is not what was said.

Mr Breaugh: He is now murmuring across the chamber that that is not what he said, but I think we will all read Hansard and decide that.

In conclusion, I do not think anything evil is under way here, but I think the potential for wrong financing of local government is established by means of this bill. I think it will expand a practice that has been regrettable, but necessary in certain areas of Ontario, to make it province-wide. I am more concerned about the long-term effects of it than I am about the short-term effects. I am not concerned that there will be financial disaster or that local school boards or governments in and around Metropolitan Toronto will run great deficits. I do not believe they will do that, but I think the government has changed the nature of financing and the relationship between the province of Ontario and its municipalities and its school boards, and I regret that.

Mrs Marland: In rising to speak on behalf of the Progressive Conservative caucus on Bill 20 this afternoon, I want to read into the record the explanatory notes to the bill. I think it is obvious from some of the previous comments by the parliamentary assistant to the minister that perhaps he does not fully understand the contents of the bill and how those contents of this bill are different from what is currently going on in the province in terms of development lot levies.

“The Planning Act, 1983 currently permits municipalities to impose lot levies on plans of subdivision, and on consents to sever land, to cover some of the costs to municipalities of servicing the resultant growth. The purpose of the bill”—that being Bill 20, which is before us this afternoon—“is to permit both municipalities and school boards to impose development charges on all types of development that will increase the need for municipal services or school facilities.

“The bill also provides authority for agreements between owners and municipalities to allow owners under certain conditions to develop their land earlier than the servicing plans of the municipalities would otherwise permit. Municipalities would then reimburse those owners for their additional costs from development charges subsequently received from other owners of land benefiting from those services.”

The parliamentary assistant to the Minister of Municipal Affairs, the member for Yorkview, said a few moments ago that lot levies and the imposition of lot levies have been a subject for many years in many municipalities around this province and there really is no difference in what has been going on “illegally,” to use his word, and what this bill proposes.

Mr Polsinelli: I was talking about the municipal aspect of the lot levies.

Mrs Marland: The truth of the matter is that, having served seven years on a municipal and a regional council—I speak of the city council of Mississauga and the regional council of Peel—I am well aware of how the lot levy system has been working in the ninth largest city in Canada, namely, Mississauga, and in the largest regional municipality by population, that being the region of Peel.

Quite frankly, lot levies, in the format that they have been in, are actually a very good system. The reason that they have worked is because they have dealt with those areas of responsibility that have been a municipal financial responsibility and there lies the difference between Bill 20 and what has been going on in terms of municipal lot levies around this province.

Municipalities, including my own of Mississauga in the region of Peel, have been charging lot levies for the provision of those services which are municipal. I give as examples roads, libraries, water lines, sewage treatment, community centres and firehalls.

Mr Haggerty: What about the new city hall in Mississauga?

Mrs Marland: For the benefit of the education of the member for Niagara South (Mr Haggerty), who just interjected that in Mississauga we also included the cost of the new city hall, I would like to place on the record for his benefit, because obviously he does not understand what happened in Mississauga, that the new city hall in Mississauga was not funded whatsoever from lot levies. Whether or not we like the design of the new city hall, and I am certainly on record as one of two councillors in a vote of eight to two who voted against the design of the new city hall, that aside, that building was not paid for out of lot levies.

That new city hall, by the way, is totally paid for. It was totally paid for at the time it was built, which is quite an achievement in itself and certainly one which stands as an example to any municipality in this province, and one which Hazel McCallion and those of us who were

members of city council at the time were very proud of: the fact that that new city hall was not being placed on to the property taxes as an expense.

The fact is that with Bill 20, we now have a bill which introduces a whole new era in terms of who is paying for what. As far as the province is concerned, the provincial government is responsible for the provision of education in Ontario. Although I know that the Education Act does not clearly define what the provision of education involves in terms of physical plant, I think it is common sense that if a level of government is responsible for the education of the students of this province, it does not mean just throwing out programs and guidelines without any physical accommodation.

If the government is responsible for providing for education for students, it obviously is responsible for providing both the environment and the tools. If the environment is the physical plant, namely, the schools, and the programs and the guidelines are also part of that total educational package, then there is no question that the provincial government is responsible for funding education.

It is very interesting that while we have existing today in Ontario tremendous problems with the provision of education because of the shortage of space, at the same time we have a Minister of Education (Mr Ward) who continues to announce more programs without, however, announcing the same percentage of new classroom space in which those programs may be housed.

As the member for Oshawa (Mr Breagh) said, it is fine to announce ideal situations, like lowering the pupil-teacher ratio, and I might add to his comment also including new programs such as younger entry into junior kindergarten and mandating all-day-long kindergarten programs, all of which add to the burden of the provision of space. All of that is fine in a perfect world, but the fact of the matter is that in Ontario today, with a Liberal government, we do not have a perfect world, we have an ongoing shortage of school accommodation.

I would suggest to this government that if it cannot fund the existing problems of accommodation in schools, do not then add more programs that increase the requirement for more school space; and that is exactly what has happened.

What is even worse is that with Bill 20 we are now saying it is fine for the cost of that needed new space to be borne by the local municipalities through a system of lot levies, and ultimately the

cost of that lot levy goes on to the new home owner. While we are struggling with the shortage of affordable housing in Ontario today, obviously the Liberal government thinks it is okay to add to and increase the cost of that new housing.

The other thing that I think is lost here in this whole debate is the fact that lot levies are on new homes to be built in the future. Lot levies are on lots that are being registered and building permits that are being applied for in the future. It is not instant money to solve the problem today.

Therefore, once this Bill 20 is proclaimed, new lots that are created in the province may have a lot levy to fund educational needs—may have. As the parliamentary assistant has said, it is up to the municipality to pass the bylaw.

If it is up to the municipality to pass the bylaw to impose this lot levy—and I may tell the members that in Mississauga the lot levies are paid prior to the registration of the plans, not prior to the issuance of the building permit—in some municipalities where the lot levies are paid just prior to the issuance of the building permit, then the income from those levies is even further down the road.

What this Liberal government seems to have lost in this whole debate is that the money is needed today for funding school space, school accommodation in the province. It is needed today. It is not needed to come off the new homes that are going to be built down the road in the future. It may well be that with the decline in birthrate, the need for new and expanded school accommodation may in fact decline three or four or five years down the road, but it is today that there is a crisis in school accommodation. It is today that in the Dufferin-Peel Roman Catholic Separate School Board and the Peel Board of Education we have over 40,000 students in portables. It is today that those boards are saying to the Liberal government of Ontario, "We need more funding to build schools for our children who are here today, not the children who are going to be here tomorrow in houses that are yet unbuilt."

1600

But this Liberal government's solution is to say to the people of Ontario: "Oh, we have a solution. We'll just put another form of tax on and eventually the money will come out and eventually those schools will be built." I for one think that is very misleading. The reason it is misleading is because the public out there thinks: "Oh yes, I guess that's quite a good idea. We can add another level of cost to the new homes and

make the new home owners pay for that new school construction.”

But it is not quite as simple as that, because if there is major growth in terms of residential development, there is a requirement for schools to be built. It is very interesting to notice that this bill says the education development charge may apply to residential and nonresidential development. What does that say? It says to a municipality, “If you’re short of money, you can even add an educational development levy to nonresidential development.” Is that not counterproductive to those municipalities that really want to encourage commercial and industrial growth?

It is no wonder that our Progressive Conservative caucus is aopposed to this bill. Obviously we feel that if education is a provincial responsibility, then that is where the funding for education lies, not on the backs of new home owners who are about to try to purchase their new house in a market where any new house is expensive, to say the least.

I think any legislation at the provincial level that would encourage municipalities and school boards to run deficits in terms of funding their programs and facilities is irresponsible. It seems that we have no credit or recognition given to municipalities, like the city of Mississauga and the region the Peel, which have operated without deficits. We have even funded new hospitals through property taxes in Mississauga and the region of Peel, although under the Progressive Conservative government the funding of hospitals was a provincial responsibility.

Unfortunately, now under the Liberal government, because there is such a shortage of commitment to funding new hospitals, the new hospitals have to be built and the only way they are built is with a very high percentage of funding through the property taxes at the local municipal level.

The one part of this bill that I know is really going to excite one mayor is the part that says before passing a development charge bylaw a municipality must hold at least one public meeting where sufficient information is made available to enable the public to understand the proposal. I do not know how one meeting can give sufficient information to enable the public to understand this proposal as in Bill 20.

I want to tell the members that Mayor Hazel McCallion is going to be thrilled to hold public meetings dealing with provincial jurisdiction, because if there is one thing that Mayor Hazel McCallion has been saying loud and clear—and I

agree with her totally—it is that she feels every time there is a decision made in this Legislature under provincial jurisdiction, the local area MPPs should hold public meetings within their local ridings to explain what exactly it is the provincial Liberal government is trying to do.

The mayor of Mississauga will not be pleased to be told that if she is going to be collecting money on behalf of school boards as the area municipality, she now has to hold a public meeting in order that the public understand that proposal. It is a provincial decision; therefore the province should hold the public meetings. It will be a municipal decision if it is on behalf of the school boards; therefore the school boards should hold the public meeting. There is also no question that the Association of Municipalities of Ontario is totally opposed to this legislation, even though the parliamentary assistant seems to think it is in favour.

I think it is very important, because of the lack of preconsultation with this bill—which obviously is typical of the Liberal government—it is terribly important that this bill be referred to the standing committee on finance and economic affairs, which is an all-party committee of the Legislature. It needs public scrutiny. It needs public input, although I doubt very much whether the government will listen realistically to that public input if it goes according to all the preceding bills that have had public input. There is never any response from this government to the public cries.

To sum up Bill 20 is simply to say that it is a copout on education funding by this provincial Liberal government. The impact on the cost of housing is very obvious. If this Liberal government does not think this bill will impact the cost of housing, it must be living in an Alice-in-Wonderland world. The fact of the matter is that any additional lot levies will add to the cost of homes at a time when the cost of homes is already prohibitive for a very high percentage of the people in Ontario who are trying to buy their first home.

More important, if this government is not going to fulfil its responsibility in the area of education and education funding, then why does it not come out quite honestly and say: “Look, folks, it’s too much money for us. We’re out of the education business.” As a balance to that, they could reduce the personal income tax of the people in this province who truthfully pay their personal income tax expecting that those areas that are of provincial jurisdiction will be funded accordingly.

What we have happening is more and more transfer of provincial responsibility in terms of funding down to the next level of government; namely, regional and municipal government. When it gets to regional and municipal government, it is then on the backs of the property taxpayers and we all know how today the property taxes for so many people are driving them out of their homes because they can no longer afford them.

Affordability is the point on which Bill 20 is grossly unfair, because it is not affordable for the new home owner to pay a lot levy for education when education is a provincial responsibility. I say to the Liberal government that it should either get out of the education business and collect fairly a lower percentage of personal income tax and let people pay for education totally at the local level, or do what is honourable; that is, continue to pay for the needs of education today in this province without adding lot levies to new homes and new lots.

1610

Mr Polsinelli: Perhaps I should explain that what the Development Charges Act does is two things. One is that it rationalizes the method of levying and collecting lot levies for municipal purposes by the municipal council. That is an option the council has, in terms of whether or not it is going to pass a development charges bylaw and collect the lot levies. When I was referring to the consensus, to the agreement between the development industry, the Association of Municipalities of Ontario and the provincial Ministry of Municipal Affairs, I was dealing with that aspect of it.

The other thing this bill does is that it extends that same right to school boards, to essentially pass a bylaw to collect lot levies to finance the capital construction of new schools. With respect to that, there is not a consensus, and I think the member for Mississauga South (Mrs Marland) knows that.

But the member for Mississauga South should also know—and I am sure she does—that there are many school boards that support that legislation and the extension of that authority. In particular, the member for Mississauga South should be reminded that her school board, the Dufferin-Peel Roman Catholic Separate School Board, is one of a coalition of school boards strongly asking the government to support this legislation.

I would also remind the member for Mississauga South that the existing system of collecting lot levies is not rational. Municipalities can collect lot levies for just about any reason they

want. As a matter of fact, I point to her municipality, Mississauga, which presently is the third highest in the province in terms of collecting lot levies. Between the upper- and lower-tier level, it collects \$10,300 per home.

What this legislation does is say, "You can only collect lot levies for growth-related net capital needs, what the growth is going to require the municipality to build, and then you have to spend it on that." The present legislation allows a municipality to spend money on anything it wants with the levies it collects.

Mr Beer: I think it is awfully important, in looking at the section of the bill that relates to the educational lot levies, to again underline that in the budget this year, and over the course of the last several years, this government has made significant funding commitments on both capital and general grants to school boards.

What we are trying to do through this part of the bill, as a component of all those initiatives, is respond to requests that school boards have brought to us, particularly from the fast-growth areas, to provide them with another tool to help in meeting those new pupil places, the needs of new schools and people moving in.

When you put that together with the other changes that have been announced this year, when you look, as I said before, at the amount of provincial funding going into capital, I think what we see is that clearly this is an area that is shared between both the province and the local school boards. Indeed, historically, with but one other major exception I am aware of in our history, it has been the local board which has really had the responsibility for capital needs.

We have said that we recognize there is a problem and have moved in with significant funds. Again, the lot levy is important, but it is one of a number of initiatives we are taking, in terms of the financing of the educational system, to provide the kind of assistance required. We recognize that there are tremendous needs out there, but this is going to be a tremendously useful tool for school boards, particularly in the fast-growth areas.

Mr Villeneuve: I, too, want to congratulate my colleague the member for Mississauga South, who comes from one of the most rapidly growing areas. Certainly we share and agree that Bill 20, under debate right now, is not the answer to solving the educational problems.

I just heard the comments being made of the great increases that were supposedly made to the funding of education. I come from a very rural riding. The largest municipality has 3,300

people, hardly a rapid-growth area. Municipalities, realtors, everyone is totally against the imposition of the allowing of lot levies. If indeed such great strides were made towards the funding of education, I can tell you that in the Stormont, Dundas and Glengarry public school system, we have a 17.2 per cent increase in taxation in the upcoming year. We have a cutback or an elimination of half-day kindergarten and of early French immersion.

The members should consider that: a 17.3 per cent increase in taxes and those cutbacks in an area that is designated bilingual. I just wonder—and I see the minister responsible for francophone affairs (Mr Grandmaitre) here in the Legislature this afternoon—if that is the kind of funding we can expect from this government. I think what it is doing is providing a great deal of lipservice and not the real thing. That kind of misinformation, I think, bears being brought forth to the public.

Hon Mr Grandmaitre: I think my honourable friend the member for Stormont, Dundas and Glengarry is misinterpreting the law. This is permissive legislation. If his municipality is not willing to pass such a bylaw, it does not have to. I think it should be understood by every municipality in this province.

If he does not think developers in his area can afford to pass the bylaw, they simply do not have to pass such a bylaw. I think what this government is trying to do is to accommodate the growth in 10 or 15 per cent of our municipalities. This is what we are trying to do and it is not the only tool this government will provide to school boards to build a fund for a rainy day or whenever a new school is needed. This is only part of a funding program for our school boards. I think it is very important and it should be understood that it is permissive legislation.

The Acting Speaker (Mr M. C. Ray): Does the member for Mississauga South care to respond?

Mrs Marland: Yes I do want to respond to the last speaker. I want to tell him what this government is trying to do. This government is trying to cop out of its responsibilities in this province. This is just one example. If the government thinks the reduction from 75 per cent to 60 per cent in capital funding is not a copout, and this bill, which transfers the cost of schools on to the backs of property owners, the new home buyers in this province, is not a copout, I would like to know what is.

When the parliamentary assistant says this rationalizes the method of lot levies and that

before this the municipalities could spend money on anything they wanted—

Mr Polsinelli: That's true.

Mrs Marland: Actually, that is true. The fact is, I would like any one of the members in this Legislature to show me where any municipality has misappropriated money it has spent.

Mr Polsinelli: Who said misappropriate?

Interjections.

The Acting Speaker: Order.

Mrs Marland: The truth of the matter is that the municipalities that have had lot levies have had lot levies because they need the money to provide the programs which are a municipal responsibility. The city of Mississauga has not gone into debt, because it has had lot levies. This Liberal government would have municipalities finance things through deficit financing and not through lot levies. Mississauga does not have its property taxes bearing the cost of interests on loans, because it does upfront financing for those things which are municipal responsibilities. They do not, however, want the property taxes to fund those things which are provincial responsibilities and that is what this bill is about.

1620

Mr Sterling: You guys can't take it. When we bring the truth forward, you guys can't take it.

Interjections.

The Acting Speaker: Order, please. It would be helpful if members would address their remarks through the chair and not in a confrontational way between each other.

We have, first, the Minister of Revenue on a point of order.

Hon Mr Grandmaitre: I am going to defer to my honourable friend.

Mr Polsinelli: On a point of order, Mr Speaker: I would point out to the member for Mississauga South that she is misinterpreting and misrepresenting my statements to this House. I never said that the municipalities—

The Acting Speaker: Order, please. That is not a point of order and we will now—

Interjections.

The Acting Speaker: Order, please. You know, this is a public proceeding. Could we have the next speaker, please?

Mr Beer: I would like to make some comments, in particular with respect to the bill and the question of educational lot levies. In beginning, I want to indicate that since the present Minister of Education took over his

position, if there is one question which has occupied a tremendous amount of his time, it has been trying to wrestle and grapple with the whole question of the funding of education and to try to provide to school boards, particularly in the capital area, the wherewithal to meet the needs they have had to face.

I think if we look at the package of changes which he and the Treasurer have announced over the last while, we can see the results of that work. We must look at this particular bill and the section that deals with development charges in relation to education as being a part of that; an important part, but a part of it. It is not intended, of itself, to settle all the various problems.

The introduction by the government of the Development Charges Act has been, and this has been noted, the result of a long process of review conducted by both the Ministry of Municipal Affairs and the Ministry of Education. Initially, the ministries were working independently to devise alternative funding arrangements for use by municipalities and school boards in financing large capital expenditures related to growth. Their efforts were eventually combined in the green paper which the Treasurer released last December 12 entitled Financing Growth-Related Capital Needs.

Members will know that since taking office, and I have mentioned this in my comments this afternoon, this government has mounted a vigorous and consistent attack on the backlog of school accommodation needs. This is the result of many years of flat-line funding by the previous government. We have steadily increased the annual allocations for school capital which now stand at a level that is four times greater than the province's commitment in 1984-85. I would again remind us that that commitment is \$300 million for the next four years, so some \$1.2 billion has been committed to capital.

Over the four years of our current capital plan, school boards will undertake capital projects valued at nearly \$1.6 billion. So what we are witnessing in this province is the largest school building boom in Canadian history. Even with this unprecedented capital program, the demand for new school space is still immense, particularly in our growth areas. By that, we are speaking not only of areas immediately adjacent to Metropolitan Toronto, but also the same pressures in areas such as Carleton and in areas around Kitchener-Waterloo and London. These are pressures brought on by growth.

Over the past few years, many boards have expressed interest in developing additional fund-

ing arrangements. The green paper adopted the concept of education development charges as a means of financing growth-related school construction, on the premise that new development should help finance the cost of the new infrastructure it requires. Development charges were already being applied by many municipalities. It was argued that the charge could be justified on the basis that schools are of at least equal social importance to libraries, recreation centres and other so-called soft services for which municipalities have often imposed charges.

The government invited comments on the proposal outlined in the green paper and solicited the suggestion of alternative funding arrangements. The responses received were reviewed by an interministerial committee and the provisions of this bill reflect the recommendations of the green paper. They have been revised in response to the submissions received from interested parties.

Part III of the Development Charges Act relates to the imposition of the education development charges upon residential, or residential and commercial, assessment. The charge may be imposed by a school board within its area of jurisdiction, to finance up to 100 per cent of its local share of the approved costs of growth-related school construction. This new source of local revenue should assist school boards greatly in providing new schools and in some cases may even have the effect of lowering local mill rates.

Therefore, the purpose of this section of the bill is: first, to establish the authority by which a school board may impose an education development charge upon residential or residential and commercial assessment, in all or parts of its area of jurisdiction, through the passing of an education development charge bylaw; second, to establish the terms and conditions under which the school boards may impose the education development charge; third, to provide for the giving of public notice by a school board which intends to pass an education development charges bylaw; fourth, to provide interested parties with the right to appeal an education development charge to the Ontario Municipal Board and establish the powers of the board to amend, repeal or uphold the bylaw; fifth, to establish the procedures for the collection of the charge by the municipality where it is to be imposed; sixth, to establish regulatory powers through which the Minister of Education may oversee the imposition of the education development charge and the use of the revenues raised; and seventh, to permit boards to negotiate payments in kind and other

innovative financial arrangements with developers.

When we look at what is set out in the act and put that together with other initiatives in the whole area of educational financing, it seems to me that we have introduced something that is positive and solid in the overall funding of that system because, remember—and the comment was made earlier by the Minister of Revenue—this is permissive legislation. School boards most particularly are going to want to have this kind of lot levy where there is a demand for new construction of new pupil places.

I repeat, and we must underline, that the increase through provincial capital grants has been tremendous. We have said that where it affects new pupil places, the grants that come from the province, together with that portion that comes from the local board and with the funds that will come directly from those new homes where people are moving into areas and requiring services, will be the funds that then will allow the local board to have more money on hand to build the schools it is going to need.

In terms of renovation of schools, we have said that the province will continue to fund that at the rate it always has of 75 per cent. This year, with the budgetary initiatives we took, we were able to kick-start, together with boards, more construction over the next three years than we have witnessed probably ever in this province; certainly for a very long period of time.

What this bill now does, what boards such as my own in the area of York region have said, is that once this is passed they will be able to move to set out the bylaw and begin to apply it, and that this is going to give them tremendous assistance to get the kids into schools, to get them into the classrooms and to take off their backs more of the pressure they are currently under.

1630

No one has argued that this is a panacea which will resolve all of the problems. We all recognize that the fast-growth areas are facing tremendous problems in a number of areas of government, whether we are talking about transportation or about health care, you name it, those are all problems in fast-growth areas.

But I think if members look at the various briefs that were brought to the attention of the interministerial committee from the various boards, whether it is Peel, Durham, York or many others, what they all underlined was that this would be of real positive benefit to them in meeting one of the major needs they have.

I think that, looking at it in that context and recognizing again that what this bill is setting out is the provision to the local board, which is obviously a key player in the provision of education at the local level, this gives it another important tool with which it is going to be able to meet in a more effective way the needs its residents have.

So I think that when we look at those needs, when we look at the options that have been set out—and I think the member for Oshawa set out very clearly some of the dilemmas here and some of the choices, not all of which were between something that was perfect and something that was not—after looking at all of that, this is a positive response which will be of assistance to school boards and of assistance to the creation of more new schools over the next decade when these pressures for the most part are going to continue, as I say, especially in the fast-growth areas.

I would commend this to all members and I think it is going to be of real and direct help.

Mr Villeneuve: The comments of my friend the member for York North are very interesting. The emphasis here is on permissive legislation. I find it somehow strange when I go back to the riding I very proudly represent to speak about permissive legislation. I am not sure what it will permit them to do. Remember, there are 23 very rural municipalities with not very many newly created lots being sold and there is a 17.3 per cent increase in the operational budget of the Stormont, Dundas and Glengarry County Board of Education.

Funding from the provincial level comes down from 48 to 42 per cent and there is a cutback in services after all of these increases in taxes. We have the pooling problem. The government of Ontario tells us that it will replace any funds lost to the public board of education from the pooling process. They have told us things before that did not quite happen.

There are a number of these situations and there is permissive legislation in Bill 20. What will I tell these people in rural eastern Ontario? They will have to look at capital funding, down from 75 to 60 per cent. It is permissive legislation. All it will do is put the taxes up very considerably in areas such as the one I represent. That is the kind of permissive legislation Bill 20 is bringing forward.

Mr Polsinelli: It seems to me that the opposition mentality in dealing with this legislation is, "Let's confuse them with allegations, bullshit,"—excuse me, I should not use that word

in the House; it is probably unparliamentary—"and not confuse them with the facts." I would like to compliment my colleague the member for York North for bringing some light to this whole debate.

Hon Mr Grandmaitre: Withdraw.

Mr Faubert: Withdraw. Use BS.

Mr Reyecraft: You have to withdraw "BS."

Mr Villeneuve: I will make sure your comments get to my board of education.

The Acting Speaker: Did I hear him say he withdrew that comment?

Mr Polsinelli: Yes, I did. I would never use an unparliamentary term.

The Acting Speaker: As I indicated, this is a public proceeding.

Mr Breagh: I regret that he chose some language that was unparliamentary, but I regret even more the allegation that people on the opposition side are confusing things. We are attempting, as best we can, to determine precisely what it is the government is trying to do here.

I have expressed a point of view that there is a major shift in the way that Ontario will finance local costs for education and for municipal government. I do not think that is confusing anybody; I hope it is not. It is meant to put forward my point of view, and that is why I am here.

The government members may not want to hear this and they may not like to hear this, but it is one of those unfortunate things in a democracy: Not everyone belongs to their caucus. Not everyone has to think their way; there are different points of view in here, and while the government does not have to like it, it does have to listen to them.

Mr Beer: I want to talk about two things. First, just to remind members, the 75 per cent to 60 per cent relates to new pupil places, new school construction. With respect to the renovations of schools, the old rates still apply at 75 per cent. We may have an opportunity in committee to go into this in somewhat more detail.

I would want to say to my friend the member for Stormont, Dundas and Glengarry that with regard to the commitment to the broad financial picture on education, I think we can demonstrate that we are providing the kind of support that we ought to be, not only in terms of capital but in the other areas, and that we are providing more funding. But that may be perhaps a better item to go over in detail in committee, where we will have more time to look at specific cases.

Finally, I would like to make just one point which I did not make in my remarks, which is to underline that the government will be moving a few amendments to part III of the bill, including amendments which will clarify the definitions of commercial and residential development and further clarify the methods by which levies will be determined for commercial development. Those will, of course, be circulated prior to the committee sessions.

Mr Mackenzie: My comments will be brief. I must say, however, that I enjoyed the comments of the member for Mississauga South. It was rather like putting the fox in the hen house, when she had them going on the other side of the House.

Mr Sterling: She knows what she's talking about.

Mr Mackenzie: She knew what she was talking about, too; dead on.

I want to quote a letter that I received today, which will be about half of my remarks, then I will make a few comments of my own. The letter is one that was sent by K. A. Rielly, director of education and secretary of the Board of Education for the City of Hamilton, and it reads as follows:

"At the June meeting of the Board of Education for the City of Hamilton, the following resolution was adopted:

"That the Board of Education for the City of Hamilton oppose part III of Bill 20, the Development Charges Act, and that the board inform the Ministry of Education of its opposition to this legislation and urge them to reconsider the method of raising funds for school capital construction, and that this board seek the support of the local members of the provincial parliament."

"Although the board of trustees recognized the need for lot levies for purposes of community services, such as repairs to city sewers, parks, etc, it is strongly opposed to imposing lot levies on private residences as a means to offset the cost of school capital construction.

"The Hamilton Board of Education is urging the Ministry of Education to do everything in its power to seriously consider alternatives to this section of Bill 20, and we are urging the local members of Parliament to support us in this resolution.

"Should you require any further information, please do not hesitate to contact my office."

It is a position that I found coincided with the position we had taken in our caucus, as outlined by the member for Oshawa, that we will not be

opposing this bill. I think it is fairly straightforward. I do not think that when we talk about rights we already have in terms of lot levies, the voters distinguish between the education taxes and the municipal taxes; it is one package.

I know when I take a look at my taxes on my property yearly, it is one package. Education, as far as we are concerned, is a provincial responsibility and the costs should not be transferred to the municipalities. It is an area that should be covered out of general revenue. Implied in this particular bill is a further transfer of costs to individuals and their municipalities.

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I think it is going to further skew tax fairness in the province of Ontario. I want to say, agreeing with my colleague the member for Oshawa, that I have no fundamental opposition to lot levies as such, but not when it comes to the education field. It is a move by the Treasurer which is a fundamental change in very basic tax policies and taxing for the costs of education. I think it is a further indication of a lack of any real direction or fairness in the tax policies we have in Ontario.

Where I agree with my colleague the member for Mississauga South is that I think it is a copout by this Liberal government, both on housing and even more so on educational funding in Ontario. I think that is why this bill should not be supported and why the government will find that there may be some high-growth areas that will take a look at it, but it is not the answer. It helps to get this government off the hook in terms of educational funding, something it has been falling behind on in any event. They quote the big numbers, but the percentages show clearly that we are paying less and less of it from the province and more and more of it out of our property taxes. I do not want to see that further transfer of costs through lot levies that now help to fund the education system in the province.

I hope the bill is not approved in this House.

Mr Villeneuve: I rise to defend the cause of some of the municipalities that I represent. The introduction of the Development Charges Act, or Bill 20, as we commonly refer to it this afternoon, is yet another example of the Liberal government's failure to listen. The government appears to be consulting with various interest groups for a specified period of time. It pays lipservice and, if no consensus on the issue is reached, it simply does what it wants. I think we could cite a whole number of recent examples of exactly that: lengthy committee hearings and then proceeding with little or no abidance by what indeed was presented to them.

We have a piece of legislation that has some noteworthy aspects, but these will be lost because the inclusion of lot levies for school purposes—and I emphasize “for school purposes”—is unacceptable to almost all the interested parties, except perhaps to this government and some of its backbenchers.

Since 1972, AMO and many of its member municipalities have endeavoured to obtain a clear, firm legislative basis for the collection of lot levies. More recently, AMO worked together with the Ministry of Municipal Affairs, the Urban Development Institute and the Ontario Home Builders' Association to resolve the issue of growth-related development charges.

AMO welcomed the release of the green paper on financing growth-related capital needs and it supported many of the recommendations in that green paper, but it had strong objections to certain aspects and recommended the following—and I emphasized them a while ago following the parliamentary assistant's short presentation: AMO opposed lot levies for school purposes and it recommended they not be introduced; the capital grant program to school boards should not be reduced from 75 per cent to 60 per cent; and growth-related capital costs should be defined to include fixtures and equipment when speaking of school premises.

It seems the government did not even consider AMO's position. Bill 20 has retained all these aspects of the green paper which AMO recommended against.

In reviewing the bill itself, we have several concerns such as the time limits of appeals, the powers given to the Ontario Municipal Board and the definition of certain services and costs. The bill gives the OMB the power to dismiss an appeal without holding a full hearing, order a municipality or school board to repeal a development charge bylaw in whole or in part, and order a municipality or a school board to amend a bylaw to reduce the lot levy. These powers are extensive and should have the full scrutiny of a standing committee of the Legislature.

It is ironic: Presently there is a select committee studying the financing of education, a committee that will begin its hearings immediately after this particular session recesses, yet this government did not see fit to wait for the recommendations of this select committee on education. They saw fit to force through their own ideas.

Home builders also oppose the use of lot levies to fund school construction. Those members who tell us that they will not be passed on to the home

owner are dreaming in Technicolor. Builders and municipalities have been urging the government to introduce a legislative basis to fund the construction of hard services such as water, sewer lines, etc.

There continues to be a debate among municipalities and builders regarding the use of lot levies for the construction of soft services such as community recreation facilities, libraries, etc. Despite this difference of opinion, these two groups were willing to negotiate an equitable solution to the use of lot levies, but the government would not listen, as usual.

A coalition of the Ontario Home Builders' Association, the Urban Development Institute and the Fair Rental Policy Organization of Ontario has been formed to oppose this bill. The Alliance for Housing coalition, in its response to the green paper, stated, "The proposal represents a fundamental shift and restructuring of provincial responsibilities. It transfers it over to the municipalities, the school boards and the new home owner. It raises major issues of greater importance as to the future role of the province of Ontario in providing recognized universal services such as the basic requirement of education." They oppose, with the Association of Municipalities of Ontario, the transfer of provincial responsibilities to municipalities and school boards via the new home owner and the development and building industries.

The building industry and our Housing critic, the member for Nipissing (Mr Harris), have repeatedly pointed out to the Treasurer that regardless of market forces, a \$5,000 lot levy will add \$5,000 to the price of a home. I do not care whether he uses metric, conventional, bilingual or otherwise; \$5,000 gets transferred to the person who will be building and living in that home.

Both new and resale homes will be touched, and it will add to the housing affordability problem, not only here in Toronto but all across the province. Education is the responsibility of everyone and should be financed as such. That is exactly why there is a select committee studying the financing of education. The parliamentary assistant to the minister would be well aware of that.

Individuals in existing subdivisions will get the benefit of their new schools, but only the new home builder will pay for them. What happens to equity, fairness in our tax system? The Liberals have undermined the principle of universality, a principle which makes this province and this country the best in the world.

Because of this inequity, the Ontario Home Builders' Association has threatened to launch a Supreme Court challenge against the first municipality that charges the new education lot levy, based on the fact that the legislation denies the right of new home buyers to equity under the law, since new home buyers will be required to bear an unequal portion of the share of the cost of education, particularly the capital cost of new schools.

Let's face it: Education lot levies are another tax grab by this government. In the midst of a housing crisis, it makes no sense to impose another tax on the construction of new homes. The Toronto Home Builders' Association estimates that the current fees, taxes and levies imposed by various governments make up more than \$26,000, or approximately 11 per cent, of the cost of a home at present, and that is before the new education levy has been taken into account. Quite obviously, they do not agree with those people who tell us lot levies will not be transferred on to the eventual home owner.

The Ontario Public School Trustees' Board Association supports the provision of Bill 20, and is one of the few organizations that do. I must tell members that the school boards in my area do not agree with their representative group. However, in democracy that is the way it goes. They support it because they have noticed that the commitment to education by this government has been reducing at a very rapid rate in the last five years.

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A number of individual school boards in nongrowth areas—and those are areas I represent, as do quite a number of the Liberal members and probably some of the New Democratic members in this Legislature—do not approve. They include the Metro separate and public boards and the London board. They do not support the bill, as they will reap no benefits.

Provincial school capital funding support dropped from 75 per cent to 60 per cent, as has been stated on a number of occasions in this debate this afternoon. This will mean local boards, regardless of whether they are in a growth area or not, will have to bear an increased portion of new school construction and costs. It is simple. It goes down from 75 per cent to 60 per cent. The local option: You pay more at home.

Although the bill says school boards have the option to impose an education lot levy, in reality this increased financial burden will simply force school boards to establish these levies. It is a simple matter. You get less money from Queen's

Park. You need new schools. You will have to find the money elsewhere from where it has been traditionally coming, right here.

School boards and teacher associations are also upset about the lack of control they would have over the use of the education lot levies. "If two or more school boards, which share an area of jurisdiction, pass a bylaw to impose" an education lot levy on the same area, "the money collected is to be placed in a joint account." I see nothing but problems coming from that one.

The money can only be used by the boards as directed by the Minister of Education in spite of the fact that the minister had nothing to do with collecting the money.

Withdrawals from the education lot levy account "can only be made for school construction projects which have the approval of the Minister of Education and have been recognized for capital grant purposes." Any expenditure above the approved cost for a new school will be funded from the local tax base, rather than from the education lot levy account. So the municipalities and school boards have the administrative burden of this initiative, but have no control on how the money is spent.

In summation, we have a select committee on the financing of education. I wonder why we have it when we are doing this in the Legislature this afternoon and pre-empting any eventual recommendation by that committee. Of course, this is not new. It has been happening at Queen's Park all the time since 10 September 1987.

The bottom line is that Bill 20 does two things: It shows that the Liberals cannot listen and that they continue to pass on their responsibilities to the local taxpayer, the local municipality and the local school boards.

We will not be supporting this bill. We cannot support a bill that uses lot levies to finance school construction.

The Acting Speaker: Comments or questions?

Mr Beer: Just a couple of points: First of all, with respect to the select committee on education, the honourable member may wish to speak with those members of his party who are on that committee. It was agreed that as the select committee went forward with its schedule, it was free to examine those issues it wanted to examine. The ministry obviously could not wait on a number of critical issues and would have to proceed to meet the needs as we saw them.

The select committee will be carrying out a most important and meaningful review of educational financing, and I hope perhaps we will hear

from the third party in terms of how it thinks we ought to be meeting some of these difficulties and what kinds of plans it has. We will be participating fully in those hearings, along with our colleagues from the two opposition parties.

There is another point I would like to make. I am quoting from an article by one of the trustees of the York Region Board of Education, who notes: "A federal/provincial task force report, produced in the mid-1970s following a phase of skyrocketing land and house prices, found little relationship between municipal lot levies and escalating land/housing prices...the main determinant of new house prices are supply and demand in the marketplace, including conditions in the much broader resale house market." I think that was a point the member for Oshawa made rather effectively.

If we want to talk about equity, one only has to look at the budget this year to see that this government has moved to establish a greater degree of financial equity in the whole system. No government before it has tried to take on that significant issue. We are going to be making clear progress over the next five or six years in bringing about that equity.

With respect to the point on the trust funds, it is going to be shared. Boards have already discussed, where they are in a coterminous situation, with the other board about how they see themselves being able to work with that trust fund. It follows procedures that have been followed in the past and are well set out. These remain positive initiatives that we have brought forward.

Je conseille vivement à mon ami, le député de Stormont, Dundas et Glengarry (M. Villeneuve), de nous appuyer et d'appuyer cette motion et ce projet de loi qui est maintenant devant l'Assemblée.

The Acting Speaker: Are there other comments? Does the member for Stormont, Dundas and Glengarry care to respond?

Mr Villeneuve: Yes, I would like to respond to my colleague the member for York North. I and the member for Burlington South (Mr Jackson) are members of the select committee on education. I am fully aware of what has been happening. The problem is that we have to go back home and tell our boards of education: "In spite of all the rhetoric and the lipservice you hear from this government, you've got to pay over 17 per cent more at the public level in Stormont, Dundas and Glengarry. You've had to cut back and tighten your belt, eliminate the early French

immersion and the half-day kindergarten. It's too expensive. It was decided by the board."

Hon Mr Grandmaître: What is the operational increase?

Mr Villeneuve: Yes, of course, and the operational decrease from this government went from 48 per cent in 1985 to 42 per cent now. That is what has happened in real life. It is a situation where we just cannot support this type of legislation. Real estate people in droves have phoned me and said, "Are you going to allow lot levies?"

I do not know what we can allow, as members of the third party. We bring forth some very valid arguments in many, many instances on bills that are presented. However, the steamroller decides and the steamroller happens to be a very top-heavy government and it goes ahead and takes whatever decisions it sees fit for its own purposes. It is primarily towards copping out and reducing its responsibility, turning it on to the municipalities, the school boards and indeed copping out of what has traditionally been the responsibility of a responsible government here at Queen's Park. That all changed in 1985.

The Acting Speaker: Are there other participants? Does the parliamentary assistant care to respond and conclude the debate?

Mr Polsinelli: I would particularly like to thank all the members who have participated in the debate. I am sure it gives us an indication of the good time we are going to have in committee, discussing the Development Charges Act.

I would like to thank in particular my colleague the member for York North, parliamentary assistant to the Minister of Education, who has spoken so eloquently with respect to part III of the bill dealing with the school board development charges.

Both the municipal sector and the development industry have for some time requested that the province firm up the legislative framework dealing with this whole issue of lot levies. Municipalities have stressed the need for a clearer authority to impose lot levies on all forms of development. Developers, on the other hand, have pushed for clearer rules governing the determination of costs and the accounting for lot revenues.

In 1985, the then Minister of Municipal Affairs, the member for Ottawa East (Mr Grandmaître) appointed or brought together provincial staff, the Association of the Municipalities of Ontario, the Urban Development Institute and the Ontario Home Builders Association. In the past three or four years, under the

auspices of the Minister of Municipal Affairs, we came very close to developing what could be called a consensus in dealing with the municipal aspect of this whole Development Charges Act.

What this legislation, Bill 20, does is essentially extend to the school boards the same right that municipalities have exercised for many years. I think it is an added feature and that it is a permissive authority given to the locally elected officials. I think that is something we sometimes lose sight of while we are carrying on debates in this assembly.

The people who are elected at the local level, both the municipalities and the school boards, who are elected by the public, as we are elected by the public, in dealing with this particular legislation will have to make the decisions whether to pass the resolutions at the school boards to collect these lot levies, or pass the bylaws through municipal councils to collect lot levies for municipal councils.

What we are doing in Bill 20 is quite simply giving that added authority. We are giving them the right to make the decision. If they, in their wisdom, feel it is not appropriate for their municipality or their school board to exercise this right given to them by this legislation, then they can simply choose not to exercise it.

I say again that I look forward to dealing with this bill in committee and hearing again the debate and representations that will be made at that time.

1700

The Acting Speaker: That concludes the debate, so I will put the question.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Mr Eves: Mr Speaker, there has been agreement to stack the votes until Monday next.

The Acting Speaker: I have been advised by the whip for the government party that there has been an agreement to stack any votes on the six items on the order paper until after all items on the order paper have been debated, and that will therefore likely be a deferment until late Monday afternoon. Can the other two parties please confirm that?

Mr Eves: On behalf our party, I believe that is the understanding that was reached.

The Acting Speaker: Is it confirmed for the New Democratic Party as well?

Ms Bryden: I am afraid our House leader is not here and I am not aware of what the agreement is.

The Acting Speaker: Also, I have a procedural matter, the fact that we require five members standing in their seats to force a division, and I would like to know if all parties waive that requirement.

Mr Polsinelli: It is my understanding that an agreement has been reached by the House leaders to stack these votes. On behalf of our party, we are prepared to agree to stack them to the time that was agreed upon.

The Acting Speaker: And to waive the requirement in standing order 120(a) for a division? Agreed?

Agreed to.

Vote stacked.

POWER CORPORATION AMENDMENT ACT, 1989

Hon Mr Wong moved second reading of Bill 19, An Act to amend the Power Corporation Act.

Hon Mr Wong: Pursuant to the budget of 17 May, Bill 19, An Act to amend the Power Corporation Act, was introduced. Today I am pleased to introduce a motion for second reading of this amendment.

Under this legislation, Ontario Hydro will be required to pay annually to the Treasurer (Mr R. F. Nixon) fees for the provincial guarantee of Ontario Hydro's debt and for sums borrowed by the province and advanced to Ontario Hydro. This legislation applies to existing and new guarantees and advances. The legislation enables the Lieutenant Governor in Council to make regulations specifying how the fees are to be calculated and how and when the fees are to be paid.

In the budget, the Treasurer called for a debt guarantee fee of one half of one per cent, 50 basis points. The Treasurer also proposed that the fee for 1989 be prorated on the basis of the number of days in the year subsequent to midnight on budget day. On this basis, the fee for 1989 will be \$80 million and the fee for 1990 is estimated to be \$138 million.

If I may, I would like to remind members of the intent of this proposed legislation. By guaranteeing Hydro's debt, the province reduces the costs of borrowing to Hydro. The government believes that Ontario Hydro should pay the province for the benefits Hydro receives from the provincial guarantee.

I would also remind members that in its reports on Ontario Hydro's proposals on electricity rates for 1988 and 1989, the Ontario Energy Board recommended that Ontario Hydro pay such a fee.

It also recommended that the level of the fee be set at 50 basis points or one half of one per cent.

I look forward with interest to the comments of the members of the House on this bill.

Mr Charlton: I rise to speak to Bill 19 and to start out by saying that our caucus will not be supporting this bill. There are a number of basic principles this party looks to in the taxes imposed by this province that this bill fails to meet.

I should perhaps clarify that it is our view that these fees which will be charged to Ontario Hydro are in fact taxes being indirectly imposed upon the taxpayers of Ontario. The Minister of Energy will recall—unfortunately the Treasurer is not here, but he would recall as well—that we have a government that is the product of and responsible to the people of Ontario. This is a crown corporation that is owned by the people of Ontario, or to put things a little more specifically to the Minister of Energy, it is the people of Ontario who own the benefit to which the minister referred.

In this case, it is the benefit that flows from the province's triple A credit rating, and therefore the ability of the province to guarantee Hydro's debts at a particular interest rate, an interest rate that is somewhat lower than the market rate. It is the people of Ontario who own that benefit, not the Treasurer of Ontario, not the executive council of Ontario. They also own Ontario Hydro.

In effect, the first concern we have with this piece of legislation is that because the Treasurer has found himself in the situation of having to raise more funds than he was prepared to do from the normal taxes that treasurers of this province have gone to, albeit some of them more acceptable and some of them less acceptable to the public, because he has found himself in a situation of having to try and go to a source that is somewhat less publicly visible because of the tax increases he imposed last spring, the Treasurer is now imposing a charge against the people of Ontario for something which, in total, they own. They own both Ontario Hydro and the benefit that accrues to this government from its credit rating.

It is somewhat strange to me how quickly we tend to forget. I grant that many of the Liberal members of this government and many of the members of the cabinet and the executive council are new to this Legislature and are not familiar with many of the traditions around this House, but I well recall the former member for Grey-Bruce riding—the old Grey-Bruce riding prior to the redistribution—Eddie Sargent and his

many private members' bills in this House, private members' bills that dealt with Ontario Hydro and specifically with the rate structure that Ontario Hydro uses to impose charges on the power consumers in Ontario.

1710

That rate structure is an extremely regressive rate structure. I would like to put that into context for members. Members in this House will certainly be familiar with the debates we have had around the retail sales tax and its regressive nature and how the retail sales tax, especially when it relates to what have become necessities out there in society, forces the poor and low-income people in Ontario to pay precisely the same tax as the wealthy.

The rate structure of Ontario Hydro makes the Retail Sales Tax Act look like a very progressive piece of legislation, in spite of the fact that all members of this House at one time or another have labelled the Retail Sales Tax Act as a regressive piece of legislation. The Ontario Hydro rate structure is not only a rate structure which imposes on the poor equally with the wealthy, it is a rate structure which imposes on the poor and the less fortunate to a greater extent than it imposes on the wealthy and the more fortunate in our society.

The rate structure of Ontario Hydro is one which we refer to as a declining rate structure, where those who use the smallest increment of electrical power pay the highest rate in the system, and those who use the most power, the largest increment of power, pay the lowest rate in the system. That imposes on two categories of people that I do not think we want to penalize in Ontario's society.

The first category is the poor: those who use the least amount of power because that is all they can afford to use; those who are often forced to shut off their heaters when they would like it to be a little warmer than it is; those who cannot afford to run the appliances that they have for periods that they might like to run them for, because they cannot afford to pay the cost of that extra time of consumption. Those are the people whom we force to pay the highest rate, whom we force to shut off their heaters, their stove or their television sooner than they would like to because they are being charged the highest rate.

The second category of people out there that we penalize by the declining rate structure that Ontario Hydro uses is those who have in fact spent money to achieve a higher level of energy efficiency; those who perhaps last year or the year before were in the second-highest rate

category because they used more power but who spent over the course of the last year or two years capital dollars to invest in efficient lightbulbs, a more efficient refrigerator or stove, insulation in their home to cut down their consumption for heating purposes or any number of other efficiency measures they may have taken, on the one hand, to make their own home more efficient but perhaps, on the other hand, as well, to assist this province to avoid the need for its next nuclear plant.

These people who tried to play their part in ensuring a sane energy future for Ontario have now moved out of the second-highest rate category by reducing their energy consumption have bumped themselves up into the highest rate category. Those people, for their efficiency and for the capital expenditures they have made, are being penalized.

It was this Liberal Party which 10 years ago, eight years ago, seven years ago, had a member who stood in this House and introduced his private member's bill to start dealing with the regressivity of Ontario Hydro rates. Every time that bill was voted on, members of the Liberal Party such as the Treasurer, the government House leader and member for Renfrew North (Mr Conway) and the Premier (Mr Peterson) stood along with the former member for Grey-Bruce, Mr Sargent, and voted in support of that piece of legislation. Because the member for Grey-Bruce was right: the Hydro rate structure is regressive almost beyond belief.

We have before us here today Bill 19, a bill to impose a service charge, a fee, on Ontario Hydro for the guarantee which is provided by the Ontario government to a corporation which it owns, a corporation whose debt is all pre-approved by this government, step by step. Every nickel they spend in capital expenditure is approved by the programs that are initiated by this government and the approval processes set out by this government.

We have a bill before us here today to impose a fee on that debt guarantee, but we have nothing to address the regressivity of the Hydro rate structure. What will happen to the fees this government charges to Ontario Hydro? Those fees, as the minister has said, will amount to about \$80 million in the prorated year 1989. In a full year, they will amount to about \$138 million.

Mr Cureatz: Is that the fee?

Mr Charlton: That is the fee which will be charged to Ontario Hydro. Those dollars will be dumped into the large pot that Ontario Hydro refers to as its operating expenses and will

become part of the numbers which produce the rate increases, for which it has to make submissions to the Ontario Energy Board and for which it ultimately has to get approval from the government, in that regressive, unfair rate structure which this government appears to be prepared to do nothing about.

Because of the regressive nature of that rate structure, these fees that are being charged to Ontario Hydro will end up being apportioned in precisely the same regressive way as the general rate structure penalizes the poor and those who spend capital dollars on efficiency. Again, the poor will be penalized as compared to the rich in terms of the paying of these fees. The efficient will be penalized as compared to the inefficient in terms of the paying of these fees. Low- and middle-income families in this province will continue to subsidize the large corporate sector in the paying of these fees.

I grant members that the \$80 million which will be collected in the prorated remaining portion of 1989 or the \$138 million that would be charged to Hydro on a full-year basis is small peanuts in this first round, but that is not a good enough reason to just let Bill 19 slip by. Members know as well as I do that once the government gets a revenue source in place, it will continue to use that revenue source in future when it needs more money. In this case, there are two very good reasons it will use this source. I would like to take a few minutes to get into those two very good reasons that eventually this fee charge against Ontario Hydro for the debt guarantee will get abused by this government or the one that replaces it.

1720

The first reason is that this is another hidden tax. As a tax, the public will not have any clear vision of its amount or increases that occur because it is a three-stage process for most of the energy consumers in this province. The provincial government will impose the fee on Ontario Hydro. If it gets doubled, tripled or quadrupled next year, that may get some coverage in the press for a very short period of time, but then those amounts just get dumped into the Hydro planning pot.

As I said, that is the pot that sets out Ontario Hydro's operating costs, which generate for Ontario Hydro its needed rate increase which it then submits to the Ontario Energy Board in April every year and we go through a month or a six-week hearing on the rate increase question. Then the Ontario Energy Board makes a recommendation to the government about the rate

increases which Hydro should impose. Then there will be some further discussions between Hydro and the government.

At some point Hydro will announce the actual rate increase it is going to impose the following January, but by the time January rolls around, who remembers who did what to whom in that four-stage process? Do they remember how much the fee increase was that the government announced way back at the beginning of the year or do they remember Ontario Hydro finally announcing what its rate increase on 1 January would be? Who takes the heat? Who takes the blame?

That is one of the reasons this revenue source, once it is put in place, will get abused somewhere down the road by somebody—this Treasurer, his replacement, this government or its replacement. Somewhere down the road somebody is going to abuse this because it is an easy way to get around having to face what governments hate facing, which is directly raising taxes that are imposed directly on the taxpaying public where the public gets angry, as they did back in 1982 around some specific actions that were taken in this Legislature in the budget by the then Treasurer, Mr Miller, in the Conservative government of this province.

Second, there is another basic principle which this bill violates and it is a principle which the Treasurer of this province espoused for many, many years in this House; first of all in opposition and second as the Treasurer in the first couple of years of his tenure. That is the principle that revenues to the government should be regularly debated in this Legislature and approved by this Legislature.

I recall when the Treasurer, even in his current role as Treasurer, got up and announced that he was going to remove the ad valorem tax on gasoline and replace it once again with a fixed tax per litre. Part of his rationale for that action, both in opposition and as Treasurer, was that the government should be accountable in this chamber and ultimately to the public for taxes imposed by the government and that changes in those taxes, therefore, should be debated here and approved here.

What do we have in Bill 19? We have a bill that says the government is going to impose a fee charge on Ontario Hydro for the debt guarantee. It announces what the fee charge will be up front, first round, but then it tells us that future changes in the fee will be done by regulation. Members know what regulation means: order in council, cabinet order, no proposal in this Legislature, no

debate in this Legislature, no vote in this Legislature, no accountability discussion in terms of future increases.

Although they have told us that the fee structure will be, for the first round, one half of one per cent, the Treasurer could go to cabinet, theoretically, once a month with orders in council to change that fee upward, without any accountability that is directly seen by the public, and certainly no accountability in this House.

That is a principle which this Treasurer has espoused as one he believes very strongly in, yet he, through the Minister of Energy (Mr Wong) and through his budget, has brought in a piece of legislation which not only offends but destroys that very principle, intentionally.

I probably would have opposed this fee even if this item in the bill was not as it is, even if this bill had said that the fee would be X and that this section of the bill would have to be amended in the future in this House to increase the fee. I still likely would have opposed this imposition as an indirect, hidden tax and an unfair tax on those who can least afford to pay it, but the Treasurer had that option. He had the option of making Bill 19 include the fee structure so that this Legislature would have been responsible for any future increases in that fee.

He chose not to go that route. For those reasons, I have to say that it was the intentional wish of the Treasurer for the government to hold that right exclusively to itself and the executive council so that there was no accountability to this House for a revenue source which could become a major one somewhere down the road.

There are a couple of other things which make Bill 19 offensive to me, as the Energy critic for our party. One of those is that we have heard repeatedly in the energy debate, and specifically the Hydro debate, the electricity debate in Ontario over the course of the last 15 or perhaps even 20 years, but certainly concentrated in the last seven or eight years, the debate around energy growth in demand, around building new generation facilities versus conservation, co-generation, private parallel generation out there in the real world by small entrepreneurs.

We have seen this minister stand repeatedly in this House and say that demand management and energy conservation are now the number one priority on the Ontario Hydro list and on this government's list for the future, but we have seen an almost total failure to move significantly in that direction.

In the press just two weeks ago, this minister was saying that this government remains committed to its nuclear power generation program. Mr Speaker, I would first like to remind you that "its" nuclear power generation program is not "its" at all; it is something the government inherited. It happens to be a program which was a very intentional economic device used by the former Conservative governments of Bill Davis and even John Robarts. That is how far back the nuclear program goes.

Obviously, this Minister of Energy was making those statements as part of the process of preparing the public for what he and this government see as the inevitable. I want to talk about that inevitability, which the minister is implying in his comment, "We remain committed to our nuclear power generation program," as he softens up the public for the eventual announcement of Darlington 2, and what that really means.

Mr Cureatz: I haven't heard it from him yet.

Mr Charlton: You will, Sam, you will.

We have a number of options that are available to us as Ontarians for our electrical energy future. Some of them require small amounts of capital and larger amounts of operational skill; others require much larger amounts of capital and result in fairly low operational costs.

I want you to think about this, Madam Speaker. Conservation is an option that will require very little borrowing on Hydro's part, very little capital investment. As well, under Bill 19, it will require very little in the way of additional fees charged in the future against our crown corporation. That is the one extreme. Conservation is the smallest capital investment the public sector, the crown corporation, has to make. The bulk of capital investment in conservation is done by the individual home owner, the individual businessman or the individual company that is putting in the efficient technology to cause the conservation to occur.

Nuclear power is the opposite extreme. There are all kinds of steps in between, through hydraulic generation, coal-fired generation and so on and so forth, but nuclear power generation is the other extreme.

Those are the two extremes: conservation, which is the smallest capital investment on the part of Ontario Hydro, and nuclear power, which is the largest capital investment on the part of Ontario Hydro.

Ontario Hydro maintains that nuclear power is the most cost-effective over its lifetime, because its operating costs are so much lower than coal.

That is probably true, but the capital investment, the money which Ontario Hydro will have to borrow to put the plant in place, is out here at the high extreme. Our nuclear power generation program, which the minister was referring to two or three weeks ago in the media, is the very place where Ontario Hydro's borrowing will be the absolute maximum.

Whether I agree or disagree that the nuclear power generation program is really the government's program or not, the minister is standing up publicly and saying it is the government's program; not Hydro's, but the government's. "We're going to continue to support our nuclear power generation program," is what the minister is saying. At the same time, he says, "But we are going to charge Ontario Hydro every time it borrows to continue it."

Is that an appropriate way for government to proceed, for government to stand up and make statements publicly that encourage Ontario Hydro to continue to move in the nuclear power direction, a direction which will maximize its capital borrowing, and then to stand up and say, "But we're going to charge a fee for every additional dollar you borrow, because we provide you with a debt guarantee, even though we encouraged you to do it as part of our energy policy in Ontario"?

Let's face it. The Ministry of Energy and the government are responsible for the development of energy policy in this province, not Hydro. The government of Ontario has to approve that Hydro borrowing. So Hydro will have to come with plans this government will accept. What is happening is that the government has latched on to a new way of extracting money from the pockets of Ontario residents, virtually all of whom are energy consumers and virtually all of whom are Hydro consumers. The government had not had to say to them, "Here's your tax bill," because it has hidden that cost, that extra revenue, in the Hydro bill, and that is three or four stages removed from government. They are separated by Ontario Hydro and then by the local utilities.

We have a government that, in terms of energy policy, because it has found itself so empty and directionless in its ability to establish a new energy direction for Ontario, is going to end up promoting the very thing that will cost the consumers more; that is, both in terms of capital investment and in terms of fees Hydro will then have to pay to this government to enrich its coffers and to further cover up the mismanage-

ment of the public purse which has been going on in this province.

There are a couple of other reasons, strictly in terms of energy policy questions, why this bill is offensive. This bill completely ignores what the Progressive Conservative government before this government told us for many years, and what this government has continued to tell us since its election in 1985; that the low electrical energy rates in Ontario are required on the one hand as a competitive advantage for our industry and, on the other hand, to help offset some of the competitive advantages our competitors in the United States and elsewhere around the world have that we do not have.

1740

Ontario Hydro has been a public facility in this province and is now a crown corporation. Previously it was a commission more directly under the government, and this is the first time in the entire history of Ontario Hydro that the government of Ontario has imposed a direct charge on that facility.

I would imagine that, as we have gone through things like the Great Depression and the Second World War and any number of other crises that have been faced by Ontario society along with the remainder of society in Canada, there have been temptations for governments to find any number of other revenue sources to help pay for pulling themselves out of a depression or fighting a war effort, both very costly processes. On every single occasion, those governments, both Conservative and Liberal, have resisted the temptation to be so blatant as to charge the public a service fee for its own utility, a service fee that relates to nothing other than a debt guarantee which the people of Ontario own.

Should Hydro ever go under, it is the people of Ontario who will pay the debt—not the Minister of Energy, not the Treasurer of Ontario, but the people of this province.

It is those people of this province who provide that debt guarantee and it is the people of this province, therefore, who will have to pay the shot in a failure. But at no other time in this province's history, on no other occasion has a government succumbed to the temptation to tax the people of this province through their own crown corporation with a hidden tax. That is what we have this government here today doing.

There is one other very basic reason I find this action on the part of the government offensive, and that is that we should be looking, as the minister was a year and a half ago, at how we can be substantially reducing Hydro's debt in the

future. Unfortunately, that seems to be an objective which the minister has forgotten and set aside.

We have a crown corporation with a debt which must be, in 1989, in the range of \$30 billion; a debt which the minister at one time said was a debt that concerned him very greatly when he said publicly to the media in this province that he was so concerned about that debt that he was actually considering taking over the financial structure of Hydro in order to ensure that that debt was properly dealt with.

Now we have a government that has completely forgotten about that debt which Ontario Hydro has to pay off; completely forgotten about the time, the 40, 50, or 60 years, it is going to take Hydro to pay off that debt. It is imposing a service charge on Hydro which is going to limit the corporation's ability to do precisely that.

I am sure the minister will get up when he winds up the debate on this bill and say that the service charge will not in any way impede Ontario Hydro's ability to pay off its debts, because the fee will be in addition to whatever rates Hydro needs to pay its debts. But Ontario Hydro, as a public utility, and this government are both institutions which are subject to public pressure and public outcry, and probably the government more so than the crown corporation.

We have had Hydro rate increases over the past several years that have precisely matched inflation. It may have been one or two points above the inflation rate or one or two points below the inflation rate, but if you took the average of Hydro rate increases over the last decade, they would match almost to the penny the increase in the inflation rate.

Think about what would happen the second year or the third year in a row that Hydro had to impose a rate increase that was one per cent or 1.5 per cent above the inflation rate. They could get away with it for one year. They would not get away with it for two in a row and they certainly would not get away with it for three in a row. The public outcry would start to build. This government would feel the pressure. But if the government has already counted on and budgeted for the fee revenue, then it is going to be Hydro's debt repayment structure that suffers as a result of whatever adjustments have to be made over there as a result of public pressure.

We have always taken great pride in this province—even those of us who have criticized specific programs that Ontario Hydro has embarked upon, even those of us who have criticized specific decisions that Ontario Hydro has made—

in the fact that Ontario Hydro has operated largely independently and has done an excellent job both of supplying this province with electrical energy and keeping our rate structure lower than any other jurisdiction in North America, with the exceptions of Quebec and Manitoba. We have always been proud of that, but this government is breaking that tradition here today for the first time in Ontario Hydro's history, in an arbitrary and unnecessary way by intervening in the financial operations of Ontario Hydro by sticking their hand in the till and taking moneys out.

I repeat what I said earlier: that the amounts of money they are stealing in this first round are small and insignificant in terms of the overall fiscal situation of the Treasurer. It is the beginning of something that will look awfully good the next time they need to find themselves some new revenue and the public mood indicates that the public is not going to accept an income tax increase or a retail sales tax increase or a gas tax increase.

The government, as members are well aware, does polling on a regular basis to determine the public's mood. There will be a temptation to substantially increase this fee once the bill is passed and the mechanism is in place. This government does not even have to come to the Legislature to get approval for the increase because they can do it by order in council, through a regulation. The temptation will be horrendous for this government or, as I said, perhaps not even this government but its successor, that government which replaces it, to seek that additional income from this fee structure, because it is far too easy; it is hidden from public view and it does not have to come to the Legislature.

For all of those reasons, we cannot support Bill 19. Although the Minister of Energy obviously is not the perpetrator of this measure, he is the man who has had to come into this Legislature and introduce the bill and debate it. This was a decision that was made in the Ministry of Treasury and Economics by the Treasurer, ultimately, an action which was imposed on the Minister of Energy in the same way that his other tax increases get imposed on his colleague the Minister of Revenue (Mr Grandmaitre).

1750

I implore the Minister of Energy to take the time, and it would not take him very long at all, to look at the Hansard indexes from the last decade in relation to his colleague the Treasurer and to see the number of times the member for

Brant-Haldimand (Mr R. F. Nixon), formerly Brant-Oxford-Norfolk, got up in this Legislature and spoke at length against the very kind of measure we are seeing imposed here today, and once he has done that, then to implore the Treasurer to rethink what he is doing here before we make a mistake we may regret for many, many years to come.

Mr Cureatz: I can tell all the people at home that it is not very exciting on a Thursday afternoon at 10 to 6 to get exceedingly cranked up with great anticipation to talk about Bill 19. But for the benefit of those Liberal backbenchers who will only be one-termers anyway—I know they are particularly anxious to hear my words of wisdom and especially—

Interjections.

The Deputy Speaker: Order. It may be Thursday afternoon, but it is not yet six. May I remind the members of the standing orders: one person at a time, please, and only the member for Durham East. You may proceed.

Mr Cureatz: I appreciate that very much because I know all those learned backbenchers who are here and will not be here after the next election are going to be going to bed at night cuddled up with their sweethearts and reading the debate that is taking place here today on 22 June, and more particularly, some thoughts and concerns I have about Bill 19, An Act to amend the Power Corporation Act.

I say to the moms and dads at home, if I can put this in plain language, people like William Rion Cureatz or Collin Lawrence Cureatz, who are just of very tender years, would appreciate intuitively that quite frankly the bill is nonsense—as much as I have the highest regard for the Minister of Energy, albeit he is a first-term too, and who knows, he might not be back either. He will not even serve his five years to get his pension.

Interjection.

Mr Cureatz: Well, we have not quite decided yet.

An hon member: We are working at it.

Mr Cureatz: We are working at it. As much as I have the highest respect for my colleague and Energy critic, the member for—

Mr Charlton: Hamilton Mountain.

Mr Cureatz: No, where did they call the member from before, not Hamilton Mountain. It was a better name for a riding anyway.

Mr Charlton: Stoney Mountain.

Mr Cureatz: He made, I thought, some very reasonable points.

The explanatory note tells it all. I have just been sitting here waiting my time. The member for Hamilton Mountain, I think, is a little angry at me. Normally, he would allow a little bit more time. Do members know what this means? Probably I will have to adjourn the debate and come back for a further discussion Monday afternoon.

I know all the Liberal backbenchers will spread the word Monday morning and the phone lines between their offices will be abuzz saying, “Sam is going to be back up this afternoon. Let’s hurry back and listen to what he has to say about Bill 19,” because do members know what? None of the Liberal backbenchers know what Bill 19 really says, and if they ever took a moment to read the explanatory note, they would be saying, “Why in the world is he even bothering with the legislation?”

The bill imposes the debt guarantee fee announced in the Treasurer’s budget to require Ontario Hydro to pay fees to the province in respect of guarantees given or advances made by the province.

Interjection.

Mr Cureatz: I say to the former swimmer, you are swimming in pretty heavy water these days, and you had just better tread nicely and hope that when the election is called you are not going to need the lifesaving round thing to survive. Just quietly sit patiently there and listen to my thoughts and concerns about Bill 19.

The Deputy Speaker: Order, please. The member will address his remarks through the chair, of course.

Mr Cureatz: Do members know all the bill does? All the bill basically does is tell Ontario Hydro, “You’re going to have to put up your rates, so the people of Ontario are going to have to pay more for electricity.” That is in plain language.

For the fellows up on the third floor who are focusing in again, I am going to explain this again nice and slowly for all the people at home. What Bill 19 really does is increase their hydroelectric rates. As soon as the bill passes, they can blame this wonderful Liberal Party of Ontario for, among other things— notwithstanding lack of preparation for major roadways across the province, we also have another concern: our hydro rates are going up.

Did I hear someone at home ask why? There is a lull in the kitchen. Here is why: The bill says that Ontario Hydro is going to have to pay back to

the Ontario government a percentage of money that the Ontario government has guaranteed in terms of loans or moneys advanced. It is as simple as that.

I cannot believe how this financier from Bay Street, the Minister of Energy, can get away with justifying this and look himself in the mirror in the morning when he is shaving. I would like a response to this next time around when he speaks.

Is he not just putting up the hydro rates? Is that not what he is doing? He is just taking it, as our newly elected member for Welland-Thorold (Mr Kormos) says— The members know how he speaks. He has one hand here and one hand here, and government members yell at him, "Take your hands out of your pockets."

What they are doing is taking money from here, and putting it in this hand and putting it in this pocket. They are just changing bank accounts. It is the strangest thing to me, and I am going to be greatly interested in the explanation.

Mr Philip: Probably taking lessons from Patti Starr.

The Deputy Speaker: Order, please.

Mr Cureatz: I do not want to get into Patti Starr problems. My learned front bench seems to handle that adequately enough.

This is the interesting aspect. Great, I have four minutes left. I happened across The Bob Wong Report, Minister of Energy. "China Trip a Success." Wow, that was timely, was it not? "Wong Brings Home Business Opportunities." Then, inside here, "Keeping in Touch." Six points.

"1. Do you think the public transit adequately serves your needs?" I know the Speaker is going to be concerned about how we are working in the bill. Abide by me for a moment. We will read 3.

"How concerned are you about the abuse of drugs such as alcohol, prescription drugs, illegal street drugs in the community?" Now, I think that is very worth while.

But the funny thing is that 6 says: "Any further comments." Well, I held back on this. I am going to send this over, and I am going to ask, "Why are you passing Bill 19? For that matter, why didn't you put on your little mailbag, 'Are you in favour of Bill 19?'"

I think if he did that, he would get a surprising amount of response, asking either, "What is Bill 19?" or, if he went ahead and gave a full explanation of what Bill 19 is, namely, that your hydro rates are going to be increased because the Ontario government guarantees money to Ontario Hydro and therefore—for competition in the

marketplace, so Ontario Hydro cannot go running off merrily down to Bay Street, which the minister is so familiar with—it would not be able to do that because it is going to have to pay an extra fee; if the minister put that little explanation in there, do members know what the result would be of his little questionnaire? "Why are you bothering with Bill 19?"—the same kind of question I am putting to him.

I could spend a bit more time on why he was not exemplifying various concerns about Bill 19, but the thing I do have some interesting concerns about is that although he labels himself the Minister of Energy, I actually do not see too many aspects of energy-related situations, except for the China aspect, in his newsletter.

No, there is one energy position. There is a nice picture of the minister and Mr T. I suppose if that has anything to do with energy, the minister is exemplifying Mr T's example in terms of his position as Minister of Energy. But there is nothing on Bill 19.

Now, I do not want to be particularly cruel to the minister, because he was very sympathetic on our previous legislation to allow it to go to the select committee on energy, of which I happened to be a member. We are looking with great anticipation to the summer sittings, if we ever get out of here and if this nasty, Liberal, tyrannical government does not force those new rules down our throats. Because, of course, if they do, that means we are probably going to be sitting here until the next election.

With only a minute left—

Interjections.

The Deputy Speaker: Order, please.

Mr Cureatz: —I do want to bring to the minister's attention some timely aspects in terms of the legislation; for instance, the expenditures Hydro is making. We know it is a lot of money but, timely enough, in the Canadian Statesman, Wednesday 21 June, the front page read: "Hydro Stokes Up Reactor." We have the first reactor under way with the first stage of licensing at Darlington, which of course is in my riding.

Similar to that, on page 4: "Hydro and Ministry Asked to Fund Study." My colleague the member for Etobicoke-Lakeshore (Mrs Grier), from the official opposition, asked a question of the minister in terms of funding a study of the possibility of radiation effects from the Darlington generating station and the tritium plant.

Interjections.

Mr Cureatz: I am going to be continuing next Monday afternoon, with the enthusiasm of the

rump—and as I indicated during a particular question period, all we hear from them is wind anyway—about the concerns I have about the expenditures on safety for nuclear and tritium plants. Would this mean that Hydro would be a little reticent in terms of further expenditures—

The Deputy Speaker: Order, please.

On motion by Mr Cureatz, the debate was adjourned.

BUSINESS OF THE HOUSE

Hon Mr Fulton: Pursuant to standing order 13, I would like to indicate the business of the House for the coming week.

On Monday, we will continue with second reading of Bills 19, 21, 22, 23 and 24, followed

by any resulting votes. Upon completion of the votes, we will consider those bills requiring committee of the whole House.

On Tuesday, we will continue with remaining bills in committee of the whole House.

On Wednesday and Thursday, we will consider Bill 93 in committee of the whole House, followed by second reading of Bills 209, 37, 33 and 35. The order of bills will be announced following discussion among the House leaders.

On Thursday, in the morning, we will consider private members' public business standing in the names of the member for Etobicoke-Lakeshore (Mrs Grier) and the member for Wellington (Mr J. M. Johnson).

The House adjourned at 1801.

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

KINDERGARTEN

98 Mr Jackson: Would the Minister of Education table a list of all half-day junior kindergarten programs currently being offered, on a school-by-school basis? [Tabled 4 May 1989]

See sessional paper 63.

99 Mr Jackson: Would the Minister of Education table a list of all full-day senior kindergarten programs currently being offered, on a school-by-school basis? [Tabled 4 May 1989]

See sessional paper 63.

100 Mr Jackson: Would the Minister of Education table a list of all half-day junior kindergarten and half-day senior kindergarten programs that share a single classroom, on a school-by-school basis? [Tabled 4 May 1989]

See sessional paper 63.

101 Mr Jackson: Would the Minister of Education table a list of the number of classrooms presently not occupied for half-day and full-day periods, which would be available for use as kindergarten facilities, on a school-by-school basis? [Tabled 4 May 1989]

See sessional paper 63.

CHILD CARE

102 Mr Jackson: Would the Minister of Education provide the following information on a school-by-school basis: (a) a list of before- and after-school child care programs currently being offered; (b) the total number of child care spaces available, and (c) the number of vacant spaces? [Tabled 4 May 1989]

See sessional paper 63.

KINDERGARTEN

103 Mr Jackson: Would the Minister of Education provide copies of all letters, memoranda, documents and studies within his possession which consider or discuss the feasibility of introducing all-day senior kindergarten, as outlined in the government's throne speech of April 1989. [Tabled 4 May 1989]

See sessional paper 63.

INTERIM ANSWERS

195 to 200 Mr Harris—Hon Mr Fontaine: We have been unable to compile the information in the normal time frame. A final response will be available on or about 25 August 1989.

RESPONSE TO PETITION

NATUROPATHY

Sessional paper P-1, re naturopathy.

Hon Mrs Caplan: The final recommendations of the health professions legislation review were tabled in the Legislature on 26 January 1989. In its final recommendations, the review continued to recommend that the profession of naturopathy not be statutorily self-governing. Naturopaths would remain able to practise without specific legislation.

The Ministry of Health has circulated the HPLR's final recommendations to professional governing bodies and other interested parties and is itself assessing the recommendations and their implications. I am meeting with those groups most affected by the review and its recommendations prior to introducing legislation. Included in these groups will be the board of directors of Drugless Therapy—Naturopaths and the Ontario Naturopathic Association.

ALPHABETICAL LIST OF MEMBERS*

(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

-
- Adams, Peter (Peterborough L)
 Allen, Richard (Hamilton West NDP)
 Ballinger, William G. (Durham-York L)
 Beer, Charles (York North L)
 Black, Kenneth H. (Muskoka-Georgian Bay L)
 Bossy, Maurice L. (Chatham-Kent L)
Bradley, Hon James J., Minister of the Environment (St Catharines L)
 Brandt, Andrew S. (Sarnia PC)
 Breaugh, Michael J. (Oshawa NDP)
 Brown, Michael A. (Algoma-Manitoulin L)
 Bryden, Marion (Beaches-Woodbine NDP)
 Callahan, Robert V. (Brampton South L)
 Campbell, Sterling (Sudbury L)
Caplan, Hon Elinor, Minister of Health (Orillia L)
 Carrothers, Douglas A. (Oakville South L)
 Charlton, Brian A. (Hamilton Mountain NDP)
 Chiarelli, Robert (Ottawa West L)
 Cleary, John C. (Cornwall L)
 Collins, Shirley (Wentworth East L)
Conway, Hon Sean G., Minister of Mines (Renfrew North L)
 Cooke, David R. (Kitchener L)
 Cooke, David S. (Windsor-Riverside NDP)
 Cordiano, Joseph (Lawrence L)
 Cousens, W. Donald (Markham PC)
 Cunningham, Dianne E. (London North PC)
 Cureatz, Sam L. (Durham East PC)
Curling, Hon Alvin, Minister of Skills Development (Scarborough North L)
 Daigeler, Hans (Nepean L)
 Dietsch, Michael M. (St Catharines-Brock L)
Eakins, Hon John F., Minister of Municipal Affairs (Victoria-Haliburton L)
Edighoffer, Hon Hugh A., Speaker (Perth L)
 Elliot, R. Walter (Halton North L)
Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)
 Epp, Herbert A. (Waterloo North L)
 Eves, Ernie L. (Parry Sound PC)
 Farnan, Michael (Cambridge NDP)
 Faubert, Frank (Scarborough-Ellesmere L)
 Fawcett, Joan M. (Northumberland L)
 Ferraro, Rick E. (Guelph L)
 Fleet, David (High Park-Swansea L)
Fontaine, Hon René, Minister of Northern Development (Cochrane North L)
Fulton, Hon Ed, Minister of Transportation (Scarborough East L)
 Furlong, Allan W. (Durham Centre L)
Grandmaitre, Hon Bernard C., Minister of Revenue (Ottawa East L)
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)
 Haggerty, Ray (Niagara South L)
 Hampton, Howard (Rainy River NDP)
 Harris, Michael D. (Nipissing PC)
 Hart, Christine E. (York East L)
 Henderson, D. James (Etobicoke-Humber L)
Hošek, Hon Chaviva, Minister of Housing (Oakwood L)
 Jackson, Cameron (Burlington South PC)
 Johnson, Jack (Wellington PC)
 Johnston, Richard F. (Scarborough West NDP)
 Kanter, Ron (St Andrew-St Patrick L)
Kerrio, Hon Vincent G., Minister of Natural Resources (Niagara Falls L)
 Keyes, Kenneth A. (Kingston and The Islands L)
 Kormos, Peter (Welland-Thorold NDP)
 Kozyra, Taras B. (Port Arthur L)
Kwinter, Hon Monte, Minister of Industry, Trade and Technology (Wilson Heights L)
 Laughren, Floyd (Nickel Belt NDP)
 LeBourdais, Linda (Etobicoke West L)
 Leone, Laureano (Downsview L)
 Lipsett, Ron (Grey L)
 Lupusella, Tony (Dovercourt L)
 MacDonald, Keith (Prince Edward-Lennox L)
 Mackenzie, Bob (Hamilton East NDP)
 Mahoney, Steven W. (Mississauga West L)
Mancini, Hon Remo, Minister without Portfolio (Essex South L)
 Marland, Margaret (Mississauga South PC)
 Martel, Shelley (Sudbury East NDP)
 Matrundola, Gino (Willowdale L)
 McCague, George R. (Simcoe West PC)
 McClelland, Carman (Brampton North L)
 McGuigan, James F. (Essex-Kent L)
 McGuinty, Dalton J. (Ottawa South L)
 McLean, Allan K. (Simcoe East PC)
McLeod, Hon Lyn, Minister of Colleges and Universities (Fort William L)
 Miclash, Frank (Kenora L)

Miller, Gordon I. (Norfolk L)
 Morin, Gilles E. (Carleton East L)
 Morin-Strom, Karl E. (Sault Ste Marie NDP)
 Neumann, David E. (Brantford L)
 Nicholas, Cindy (Scarborough Centre L)
 Nixon, J. Bradford (York Mills L)
Nixon, Hon Robert F., Deputy Premier and Treasurer of Ontario and Minister of Economics (Brant-Haldimand L)
Oddie Munro, Hon Lily, Minister of Culture and Communications (Hamilton Centre L)
 Offer, Steven (Mississauga North L)
O'Neil, Hon Hugh P., Minister of Tourism and Recreation (Quinte L)
 O'Neill, Yvonne (Ottawa-Rideau L)
 Owen, Bruce (Simcoe Centre L)
Patten, Hon Richard, Minister of Government Services (Ottawa Centre L)
 Pelissero, Harry E. (Lincoln L)
Peterson, Hon David R., Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)
 Philip, Ed (Etobicoke-Rexdale NDP)
Phillips, Hon Gerry, Minister of Citizenship (Scarborough-Agincourt L)
 Poirier, Jean, Deputy Speaker and Chairman of the Committees of the Whole House (Prescott and Russell L)
 Pollock, Jim (Hastings-Peterborough PC)
 Polsinelli, Claudio (Yorkview L)
 Poole, Dianne (Eglinton L)
 Pope, Alan W. (Cochrane South PC)
 Pouliot, Gilles (Lake Nipigon NDP)
 Rae, Bob (York South NDP)
Ramsay, Hon David, Minister of Correctional Services (Timiskaming L)
 Ray, Michael C., Deputy Chairman of the Committees of the Whole House (Windsor-Walkerville L)
 Reville, David (Riverdale NDP)
 Reycraft, Douglas R. (Middlesex L)

Riddell, Hon Jack, Minister of Agriculture and Food (Huron L)
 Roberts, Marietta L. D. (Elgin L)
 Runciman, Robert W. (Leeds-Grenville PC)
 Ruprecht, Tony (Parkdale L)
Scott, Hon Ian G., Attorney General and acting Solicitor General and minister responsible for native affairs (St George-St David L)
 Smith, David W. (Lambton L)
 Smith, E. Joan, (London South L)
 Sola, John (Mississauga East L)
Sorbara, Hon Gregory S., Minister of Labour (York Centre L)
 South, Larry (Frontenac-Addington L)
 Sterling, Norman W. (Carleton PC)
 Stoner, Norah (Durham West L)
 Sullivan, Barbara (Halton Centre L)
Sweeney, Hon John, Minister of Community and Social Services (Kitchener-Wilmot L)
 Tatham, Charlie (Oxford L)
 Velshi, Murad (Don Mills L)
 Villeneuve, Noble (Stormont, Dundas and Glengarry PC)
Ward, Hon Christopher C., Minister of Education (Wentworth North L)
 Wildman, Bud (Algoma NDP)
Wilson, Hon Mavis, Minister without Portfolio (Dufferin-Peel L)
 Wiseman, Douglas J. (Lanark-Renfrew PC)
Wong, Hon Robert C., Minister of Energy (Fort York L)
Wrye, Hon William, Minister of Consumer and Commercial Relations (Windsor-Sandwich L)

*The alphabetical list of members appears in each issue. Lists of the members of the executive council, parliamentary assistants and members of committees, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

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No. 31

Hansard

Official Report of Debates

Legislative Assembly of Ontario



Second Session, 34th Parliament

Monday 26 June 1989

Speaker: Honourable Hugh A. Edighoffer
Clerk of the House: Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 26 June 1989

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

SPEED LIMITS

Mr Hampton: The Minister of Transportation (Mr Fulton) recently announced that at long last his ministry was considering increasing the speed limit on so-called secondary highways in northern Ontario from 80 kilometres to 90 kilometres an hour. The time is long overdue for such a change to be made. Let me point out just a few reasons why.

Highway 71 connecting Fort Frances and Kenora is not a secondary highway in anyone's mind. This is also true of Highway 502 connecting Fort Frances to Dryden, Highway 72 connecting Sioux Lookout to Dryden, Highway 105 connecting Red Lake to the Trans-Canada Highway and Highway 808 connecting Atikokan to Dryden and Ignace.

The highways I have just listed are the main routes of transportation between the main communities of northwestern Ontario. Not only that; they are the main tourism routes which bring tourists from Manitoba, the rest of Ontario and the Midwest of the United States to all of the tourist enterprises that the government advertises and is so proud of.

How these highways were ever designated secondary highways in any sense in terms of the geography of northwestern Ontario is beyond anyone. The fact simply is they are the main routes of transportation and ought to be designated main highways with a 90-kilometre speed limit. If need be that the speed limit be lowered in certain sections, so be it. That is already the case on Highways 11 and 17.

CONSERVATION OFFICERS

Mr Harris: Over 40 per cent of Ontario's conservation officers are here today to protest the treatment received from the Liberal government and by the Minister of Natural Resources (Mr Kerrio). Ontario's conservation officers are responsible for the enforcement of more than 20 provincial and federal statutes, including the Criminal Code of Canada. Conservation officers

are frequently drawn into situations that can be as volatile as any of those that a member of the Ontario Provincial Police is drawn into.

They should be receiving the training and remuneration to reflect this fact. There is no doubt that there exists a growing gap of over \$10,000 between the wages paid to provincial conservation officers and those paid to other provincial officers, namely the OPP and the Ministry of the Environment officers.

I raised this matter with the minister as far back as 10 February 1986. The minister said then in response to my question, "We will do the right thing by those conservation officers." The right thing is not stonewalling, the right thing is not hiding behind the Management Board people, the right thing is not hiding behind the Chairman of Management Board (Mr Elston) and the right thing is not continually frustrating the arbitration process.

The reality is the Minister of Natural Resources has both the power and the authority to step in and redress the current inequity, which is both unfair and a potential hindrance to them carrying out their jobs and I call on the Minister of Natural Resources to acknowledge that and to reclassify, both in title and in remuneration, the conservation officers.

CANADIAN AUTOMOBILE ASSOCIATION—PETERBOROUGH

Mr Adams: A highlight of the 75th anniversary of the Canadian Automobile Association—Peterborough were the reflections of Charlie Huffman, retiring after 60 years with the Peterborough Automobile Club.

In the early days of the club, few roads were paved and fewer had signs. How did we find our way around before Charlie Huffman and his father put up road signs? What did the Minister of Transportation do in those days? CAA Peterborough, or the Ontario Motor League, as we used to know it, also organized the first driver education courses in local high schools. What did the school boards find to do in those days?

In those days too, the association supervised road service contract garages in four counties. In recent years CAA Peterborough has developed a highly respected travel agency. It is an estab-

lished local business which is recognized for its contributions to community life. The current board and staff are to be commended for nurturing and enhancing a fine tradition.

Our thanks to Charlie Huffman and the pioneers of our automobile associations. The full text of Charlie's reflections will be placed in the archives in Peterborough.

PROPOSED NEUTRINO OBSERVATORY

Miss Martel: Picking up from where my colleague the member for Nickel Belt (Mr Laughren) left off last Tuesday, I also want to make some remarks regarding the proposed Sudbury neutrino observatory.

Suffice to say that many members from all sides of this House, in particular the northern members, have been lobbying on the Sudbury neutrino observatory project and understand its scientific significance. Therefore, I cannot understand why the Liberal government is so reluctant to fund this project over a four-year term. The province has been asked to commit some \$7.2 million, a drop in the bucket compared to the funding which still exists in the Premier's Council technology fund.

Surely a pure research project which would attract scientists from the international community to Sudbury is an endeavour this government would be most eager to participate in.

Two weeks ago the National Sciences and Engineering Research Council indicated it was prepared to commit some \$15 million to the observatory. This is far beyond what SNO leaders have requested from the Liberal government. It seems to me that a favourable response would go a long way to proving that this government is serious when it says it is committed to technology and development.

I last wrote to the Premier (Mr Peterson) on this important matter on April 19. Unfortunately, I have yet to receive any response regarding the Premier's intentions or the intentions of staff of the technology fund regarding the project. Given the recent announcement by the research council, it is high time the government agreed to fund its share of this project.

WASTE MANAGEMENT

Mrs Marland: The Minister of the Environment (Mr Bradley) told us the blue box program would be the answer to all our garbage problems. He told us not to worry about markets for the recycled material; he had everything under control.

We now find there is a glut of recycled material in the marketplace. We have reports of newspapers being stored in huge warehouses at taxpayers' expense and being exported, of glass being thrown into garbage dumps and of cancelled pickup for corrugated cardboard. Because of the glut, market prices are down and the success of the municipal recycling program is being threatened.

1340

It is obvious the Minister of the Environment did not do his homework. He has done nothing to ensure that the markets for recycled material would grow; instead, they have become saturated. The minister should have established programs to encourage industries to increase their use of recycled materials. For example, newspaper publishers must increase their use of recycled paper.

The blue box program is not alone in facing collapse. Today, we heard that Peel region is threatening to pull out of the greater Toronto area solid waste management strategy. We already know the citizens of Durham region are not happy with the plan. The Minister of the Environment seems to have washed his hands of the GTA strategy and is giving no guidance whatsoever.

This government has mismanaged both of these key initiatives. The message is simple: the Liberal government cannot handle the pressure and is stumbling its way through the garbage crisis facing southern Ontario.

UNCLE TOM'S CABIN

Mr McGuigan: On Sunday 18 June, the 200th anniversary of Rev Josiah Henson's birth was celebrated at Uncle Tom's Cabin in Dresden, Ontario. Thelma Henson, a great-granddaughter of Josiah Henson, unveiled a portrait of the person whose personal story inspired Harriet Beecher Stowe to write, in 1852, the powerful antislavery novel Uncle Tom's Cabin, a book that ranks with Charles Dickens's novels in terms of its effect upon the course of social and political history. Historians believe that, but for the publication of this book, the kings of Europe would have sided with the Confederates during the American Civil War, possibly changing the outcome and postponing the end of slavery in the United States.

The north star was a guide which many fugitive slaves followed to freedom along the underground railway to termini in Amherstburg in Anderdon township in Essex county and North

Buxton, Shrewsbury, Chatham and Dresden in Kent county.

The Henson family settled in the Dresden area about 1841, where Josiah was an active leader in the church and helped to create the British-American Institute. The Henson home, known as Uncle Tom's Cabin, has been preserved along with other buildings and many artefacts. The site is maintained by the county of Kent, with support from the Ministry of Culture and Communications.

The member for Chatham-Kent (Mr Bossy) and myself invite all those interested in Ontario's history to visit this historic site.

CONSERVATION OFFICERS

Mr Wildman: In May 1985, 98 per cent of Ontario's 235 conservation officers filed a classification grievance. On 26 April 1986, the Crown Employees Grievance Settlement Board ruled unanimously in favour of the conservation officers—and we still do not have this problem resolved.

The government keeps bouncing this back to the grievance board. If there was a real commitment to ensuring that our conservation officers had a classification standard that truly represented what they do and a salary commensurate with their enforcement role, it would happen.

It appears that the Minister of Natural Resources (Mr Kerrio), despite his comments, does not really want to resolve this issue and get the conservation officers the kind of recognition they deserve in this province.

Hon Mr Grandmaitre: Mr Speaker, could I ask for unanimous consent to read a message referring to la Saint-Jean-Baptiste?

The Speaker: Is there agreement?

Agreed to.

FÊTE DE LA SAINT-JEAN ST JEAN BAPTISTE DAY

L'hon. M. Grandmaitre : Les francophones de l'Ontario se sont regroupés samedi dernier afin de célébrer la Saint-Jean. C'était l'occasion de fêter notre histoire, nos traditions et notre culture.

Les nombreuses activités artistiques, culturelles et communautaires qui se sont déroulées dans toutes les régions de notre province témoignent de la vitalité de la population francophone de l'Ontario.

À la veille de l'entrée en vigueur le 19 novembre prochain de la Loi de 1986 sur les services en français, la Saint-Jean nous a permis d'exprimer notre confiance en l'avenir et notre volonté de

participer à la vie économique, politique, sociale et culturelle de l'Ontario.

Ontario francophones got together last Saturday to celebrate St Jean Baptiste Day. It was an opportunity for us to mark our history, traditions and culture. The vitality of Ontario's francophone population was reflected through the many activities, artistic and cultural, this community organized throughout the province.

As we near 19 November, the day the French Language Services Act, 1986 comes into force, St Jean Baptiste Day activities enable us to demonstrate our confidence in the future and our desire to participate fully in Ontario's economic, political, social and cultural life.

Mlle Martel : Nous profitons de l'occasion qui nous est donnée aujourd'hui pour souhaiter à tous les Canadiens français nos meilleurs vœux pour la Saint-Jean-Baptiste.

Nous savons qu'il y a eu de nombreuses activités populaires dans toutes les régions de l'Ontario pour célébrer cette journée. La fête de la Saint-Jean-Baptiste démontre l'esprit dynamique et la vitalité de la communauté francophone en Ontario. Je voudrais saluer, en particulier, la contribution des Franco-Ontariens et Franco-Ontariennes qui protègent la langue et la culture françaises en Ontario.

Il y a eu, bien sûr, des difficultés, mais les francophones ont travaillé fort et de façon continue afin de réaliser la construction d'écoles et de former des organismes linguistiques et culturels. Il reste beaucoup à faire. De notre côté, nous espérons que le français sera bien accepté partout. Nous espérons qu'au cours des prochaines années, les francophones auront enfin la possibilité de vivre leur vie quotidienne en français.

À l'avenir, j'espère que nous pourrions tous accepter et partager le riche patrimoine culturel et linguistique des francophones de l'Ontario et du reste du Canada. Ce jour-là, la fête de la Saint-Jean-Baptiste sera un jour de congé en Ontario comme au Québec.

M. Villeneuve : Il me fait aussi plaisir de saluer tous nos amis francophones, en cette fin de semaine où les francophones ontariens, avec leurs voisins du Québec, célébraient avec enthousiasme la fête de la Saint-Jean-Baptiste.

À Toronto, cette fête était reliée aux célébrations de la Semaine française. Cette fête nous démontre les contributions à la vie culturelle qui ont été apportées par nos Canadiens d'expression française. Nous sommes une province et un pays beaucoup plus riches à cause de nos deux peuples fondateurs.

Dans le passé, nos ancêtres ont travaillé d'arrache-pied et se sont imposé de nombreux sacrifices afin de garder notre fierté, notre langue et notre culture.

Le futur des Franco-Ontariens et de la francophonie en Amérique du Nord appartient aux jeunes de notre province et de notre pays, et ce sera à eux — quand nous, leurs aînés, serons obligés d'abandonner la partie — que reviendra la tâche d'épauler nos projets et de lutter continuellement. La seule façon de garder notre langue et notre culture, c'est de lutter. Ce sont les générations à venir qui devront porter le flambeau de cette grande tradition.

Il me fait plaisir de saluer tous nos francophones ontariens.

STATEMENT BY THE MINISTRY

CRASH OF AIR AMBULANCE

Hon Mrs Caplan: Mr Speaker, it is my sad duty to inform the House of an air ambulance crash into the waters of Pelee Island last Saturday night which took the lives of three people. Two people survived the crash, one being the patient for whom the air ambulance had been called, Margaret Fraser.

I would like to extend our sympathies to the families, friends and colleagues of those who did not survive the plane crash: pilot Fred Lewis, ambulance officer Charles Ransome, and the patient's husband, Ken Fraser. Co-pilot Peter Marshall is to be commended for his part in the survival of Mrs Fraser.

The plane was a seven-passenger, twin-engine Piper Navajo owned by South West Air of Windsor. It was chartered by the Central Air Ambulance Communications Centre in response to a request received at 9:31 pm on 24 June from the Windsor Central Ambulance Communications Centre.

After arriving on Pelee Island to pick up the patient and her husband, the plane took off at about 11 pm for the 15-minute flight to Windsor. It crashed into the water shortly after becoming airborne.

South West Air is a general aviation contractor operating in the southwestern Ontario area which has been working for the ministry for approximately seven years. South West Air has provided at least 2,600 air transfers during that time. Our air ambulance service transfers about 15,000 patients a year. Our air ambulance operations, of course, must meet all Department of Transport requirements and the standards set by this province.

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In the interest of maintaining public confidence, I am initiating a comprehensive review of our air ambulance standards and procedures. This special review will be done with the assistance of Transport Canada, and I expect to be able to announce the name of the individual who will lead the review very shortly. The terms of reference of the review will include a comparison of Ontario's air ambulance standards and procedures with other North American jurisdictions. I have asked that the review report within six weeks.

The Ontario Provincial Police and the Canadian Aviation Safety Board are conducting separate investigations into the accident. Their findings will be made public.

RESPONSES

CRASH OF AIR AMBULANCE

Mr D. S. Cooke: On behalf of my party, I would like to join with the Minister of Health (Mrs Caplan) and offer our sympathies to the individuals, Fred Lewis, Charles Ransome and Ken Fraser, who died this past weekend in the tragic air crash near Pelee Island.

I commend the minister that she has initiated a review and will set up terms of reference. I am only saddened that when a tragedy similar to this occurred in northern Ontario not too long ago, there were suggestions that this type of review of our air ambulance system in Ontario take place and the minister said that it was adequate to have Transport Canada look into the matter and not for the provincial government to participate directly.

I think that if this type of review had taken place before, perhaps this tragedy could have been averted and perhaps we would have had a better understanding of some of the problems in our air ambulance system in Ontario.

I also suggest to the minister that the emergency services provided in this province, and in particular ambulance services, whether it be air ambulance or ground transportation, have some serious problems in them that the ministry has not been addressing for a long time. We have volunteer systems, municipal systems, direct provincial systems and a for-profit ambulance system as well.

I think if the minister is to be serious about addressing the inequities of service and the difficulties we have in providing adequate levels of service, the entire ambulance service across this province must be reviewed. We must have something that is safer and more consistent right across the province.

Again, on behalf of the New Democratic Party, I offer my sympathies to the people affected this past weekend. I hope the minister will take some of our concerns to heart.

Mr Eves: As the Health critic for our party, I am rising to respond to the Minister of Health's statement in the House this afternoon. I think that all members should be aware that this is the third accident by Ontario air ambulances in the last seven months. I share the comments made by my colleague to my right with respect to the previous tragedies.

The Ministry of Health has had three opportunities now to respond to these problems. It had the opportunity when the Shapiro report came out and was made public on 15 November 1988. It had the opportunity on 30 November 1988 with the Chapleau air disaster. It had the opportunity in January 1989 when a helicopter blew up on the pad at the Buttonville Airport. After two other tragedies we have a third one, and now the minister is finally going to do what Shapiro suggested on 1 June 1988 that the minister do. It is too little too late, unfortunately, for the people whose lives have been lost.

It really disturbs me that when opposition spokesmen stand up in this House and when an independent report suggested to the minister that she could launch her own investigation and inquiry into air ambulance services in the province, she does not take any of this seriously until we find ourselves in the third tragedy.

There are a lot of things in the ambulance system in general that need to be improved in the province. I do not think there is any doubt about that. We need a full provincial inquiry into ambulance services, the first step, I think, to improving emergency care in Ontario. We need more money for equipment, vehicles and staff. We need some standardization of ambulance services, air and otherwise, in Ontario. Until her ministry treats this very seriously, I am afraid that we are going to have more statements like the one read here in the House today.

I express on behalf of our party the sincere condolences and sympathy to the family and friends of those whose lives were lost. I just hope we do not have to stand a fourth time and say it again.

Mr Pope: Pilots, co-pilots, attendants and paramedics who are involved in providing a much-needed emergency air ambulance service across this province deserve our wholehearted support. It is forthcoming from the members of this Legislature. We join with the minister and opposition spokesmen in offering our sympathies

to those who lost their lives and their families. It is a terrible tragedy to take place, for those who are trying to help out their fellow man. We respect their commitment to doing that through our air ambulance service.

The minister will know that when the Chapleau air ambulance crash occurred last year, I rose in the Legislature and asked that the minister review the procedures that were in place in northern Ontario for the transfer of the air ambulance service from one carrier to the other. I also asked the minister for more information. She indicated at the time that she thought I was being disrespectful to those who lost their lives in that terrible tragedy.

The point we were trying to make then was that we wanted the minister and her officials to spend some time on this issue, to review the procedures and to make sure that these kinds of accidents could not happen again. The minister did not answer our questions in the Legislature. When I applied under the Freedom of Information and Protection of Privacy Act to get the basic details from the Ministry of Health, I got stonewalling for two months and a bill to pay, and when I did get the documents, over one third of them had deletions on them, so we could not find out what the basic decision-making process in the Ministry of Health was.

We now have the third air ambulance crash, and I think the position of the Ministry of Health—not the minister, but the ministry—on this matter is regrettable and has frustrated any attempt by this Legislature and this minister to review, as should have been done six months ago, the whole operation of air ambulances in this province. Now we are going to get a review after the third incident. I think the Ministry of Health deserves to be condemned for its actions to date.

ORAL QUESTIONS

PATRICIA STARR

Mr B. Rae: I have a question to the Premier. On Friday at his press conference, at which he announced the government's general plans with respect to a judicial inquiry, one of the things he said was with respect to Mr DelZotto, the president of the Ontario section of the federal Liberal Party.

I am quoting from what he said: "I have absolutely no influence over that particular situation. I can say that if he was the president of the Ontario Liberal Party, I would ask him to step down."

I was intrigued by that comment for several reasons, but perhaps I could start by simply asking the Premier this question: Can he tell us why he thinks Mr DelZotto should step down?

Hon Mr Peterson: The allegations have been made, and until the matter is thoroughly dealt with and cleared up or the resolution is obtained, I think it would be in his interest to do so.

Mr B. Rae: I am intrigued by that response, because when I have asked the Premier on several occasions about members of his own cabinet about whom allegations have been made, which have been admitted to—in the case of the Minister of Culture and Communications (Ms Oddie Munro), she has admitted to the \$5,000 sweetheart contract between Ms Starr's slush fund and her own mother—the Premier's response to me has been, and he has said it in very argumentative terms, as well as telling everybody what he thinks of me, that as far as he is concerned, he is going to wait, he is not going to prejudge anything and he is going to take his time.

I find it fascinating that in the one individual about whom he says he is absolutely powerless, Mr DelZotto, the simple mention of an allegation is sufficient for him to say, "He should definitely go," but when it comes to members of his own cabinet, over whom he has responsibility and he has authority, his response has been consistently to stonewall and to say he will take no such steps.

The Speaker: The question?

Mr B. Rae: I want to ask him, why does the same rule not apply to the Minister of Culture and Communications as applies to Mr DelZotto?

Hon Mr Peterson: My friend continues to make the same point day after day, and I respect his right to do so, but I say to him my answer is the same day after day.

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Mr B. Rae: I do not know how the Premier's answer can be the same when he has already said he has a different standard for people over whom he has no control. Why is his standard for people over whom he claims he has no control and no influence so totally different from the standard that applies to members of his own executive council?

Hon Mr Peterson: As the member knows, the nature of the allegations is very different. I have told my friend what we are doing with respect to the Conflict of Interest Commissioner and others and I have indicated that there will be a cabinet shuffle in the not-too-distant future and I will deal with it all then.

Mr B. Rae: Whether or not the Premier has heard from the conflicts commissioner? He is saying one thing on the one hand and another on the other.

The Speaker: Question?

Mr B. Rae: It is my understanding, and we have just had it confirmed by Mr Maywood, who is the acting deputy chief and who informed us, that the criminal investigations service group of the Metropolitan Toronto Police Force did prepare a confidential memo with respect to information contained in the Waisberg report about the DelZotto family. I wonder if the Premier can tell us if in fact that is the case.

Hon Mr Peterson: The acting Solicitor General (Mr Scott) has investigated this matter.

Hon Mr Scott: I am happy to tell the honourable member that the Deputy Solicitor General routinely makes oral inquiries of police sources and other sources before appointments to either local police commissions or the Ontario Police Commission are made. I have no doubt that was done in all these cases over the last four years.

Our investigation, however, does not reveal that any written report had been asked for, promised or indeed received by the time appointments were last made to the Ontario Police Commission.

Mr B. Rae: Perhaps while I have the acting Solicitor General on his feet, although he was not the Solicitor General at the time that presumably any of these alleged appointments were to have been made or not made, since under the rules I can no longer ask the Premier a question, I would be delighted to ask the acting Solicitor General this question.

He will know that he has responded to me on a number of occasions about the question of judicial inquiry as opposed to other means of investigation. He has told me specifically, as did the previous Solicitor General when we have asked for judicial inquiries, that with respect to a particularly narrowly focused inquiry, it is completely improper to proceed by way of judicial inquiry at the same time as a police investigation is ongoing.

I would like to ask the acting Solicitor General what he is going to do when people who are appearing before the judicial inquiry to answer particular questions about particular allegations claim their charter rights and simply say with respect to a potentially criminal charge, "We cannot respond in this way to this kind of a

proceeding at the same time as a criminal investigation is ongoing."

Hon Mr Scott: The honourable member is quite right about the response I traditionally make and, I think, properly make to these questions, and I make the same one now.

I believe the government responded appropriately by indicating that a judicial inquiry would be appointed. I anticipate that as long as a police investigation is under way, no judge in Ontario would commence the taking of evidence at that inquiry, because to do so would run a real risk that any criminal charges that were pursued would have to be dismissed against the accused by virtue of the breach of his charter rights. But that will be a determination that will be made by the judge conducting the inquiry. He will have sole determination to proceed or not to proceed.

Mr B. Rae: What the acting Solicitor General is telling us is that the inquiry announced by the Premier cannot in fact proceed and that the inquiry that was announced by the Premier appears to be a simple public relations exercise on the part of the Liberal Party of Ontario to get away from the executive responsibilities of the Premier for his own office.

I would like to ask the acting Solicitor General, since he has now told us that no judge can proceed to investigate particular matters—

Hon Mr Scott: I am not saying that.

Mr B. Rae: What I heard him say was that he cannot proceed to take evidence with regard to questions that are currently before the police and that may result in criminal charges.

Why would the acting Solicitor General not endorse the proposal we have made? Rather than have a narrowly focused inquiry which deals specifically with allegations which the acting Solicitor General knows perfectly well are in fact the subject of a police investigation, why does he not join with our approach, which is to have a far more broadly based inquiry into the relationship between the development industry and the governments of this province, and indeed of this country, so that we can finally understand why this whole scheme was established in the first place?

Hon Mr Scott: You get asked a question, you give your answer, then the Leader of the Opposition gets up and says what the acting Solicitor General has told us and puts back something that could not have been further from my mind, as if that was the end of the matter.

Mr D. S. Cooke: You said he wouldn't be able to take evidence.

Mr Wildman: Who do you think you are?

Hon Mr Scott: Now that gets them all excited and it is going to happen again. Is everybody finished? Okay.

As the honourable Leader of the Opposition, who practised law for a while, knows perfectly well, the answer to the question does not depend on the breadth or the narrowness of the commission of inquiry. If any of the persons who are named in the current reports are charged—and that will be a matter for the police to decide after their investigation—their charter rights would be seriously infringed, as the honourable member perfectly well knows, if any questions, whether raised in a broad or narrow inquiry, which ask anything about them or anything about which they might be concerned were advanced.

I have said those questions will be for the judicial inquiry judge to decide. He can start the day after his appointment or he can give effect to charter rights if he thinks that is the appropriate thing to do.

What I am sure the honourable Leader of the Opposition wants is not a political game; what he wants is that justice should be done in either the criminal court or the inquiry process. It is my job to do everything we can, without inflaming my friend's political instincts, to guarantee that that happens in Ontario as long as I am in this job.

Mr Brandt: My question as well is to the Premier. I want to indicate to the Premier that I listened very carefully to what he had to say in connection with his announcement on Friday and I have listened very carefully to what the Attorney General (Mr Scott) has had to say in his comments in response to the Leader of the Opposition today.

I find there are certain changes or alterations with respect to the two positions. The shell game that the Attorney General is now talking about is totally unacceptable. In no way did the proposal that the Premier of this province made contain any of the alterations and the changes and the modifications that the Attorney General is now proposing to this House.

I ask the Premier, which is it, his position on Friday or the Attorney General's position today?

Hon Mr Peterson: The positions are the same, and the Attorney General will tell the member what the position is.

The Speaker: Supplementary?

Hon Mr Scott: The difficulty with this question—

Mr Wildman: The Premier answered the question.

The Speaker: Order. Was that referred or not?

Mr Brandt: Well, since the Premier answered the question, I—

The Speaker: Order. I asked if it was referred. It is referred.

Hon Mr Scott: On Friday, the government announced the immediate appointment of a judicial inquiry into these matters. I can tell the honourable members that when an order in council is executed and the Chief Justice of Ontario has made the requisite appointment, that inquiry will be in place and can begin meeting immediately.

The question that arises is: In the event that a criminal charge is laid, will it be proper for the inquiry to take evidence that will bear on that charge? The reality is that that will be a question for the judge conducting the inquiry. As the honourable member knows, there are lots of examples where that occurs. The position of a coroner's inquest is precisely the same under the statute as the position we are advancing today.

We have made an immediate appointment. The judge will be in place as soon as that can be arranged. He will decide the order of business and the timing of business. There is no question that persons who may be accused may ask him to protect their rights under the Charter of Rights and Freedoms.

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Mr B. Rae: No kidding.

Hon Mr Scott: I do not think that is such a shocking thing. The leader of the third party has not submitted to this, but the Leader of the Opposition, when he has the political bit in his teeth, will just ride over any rights that the law provides.

The Speaker: Thank you. Order.

Interjections.

Mr B. Rae: On a point of privilege, Mr Speaker: I wonder if the Attorney General would consider what he has just said.

Mr Brandt: As in withdraw.

Mr B. Rae: Yes. He cannot say that kind of crap.

Hon Mr Scott: I suppose if I said "hypocrisy," the honourable Leader of the Opposition would not object to that.

Mr B. Rae: I did not set up the inquiry. He did. Okay?

The Speaker: Order.

Hon Mr Scott: I do not want to offend the honourable Leader of the Opposition. I have too much respect for his ability and integrity—

The Speaker: You will withdraw?

Hon Mr Scott: —and I do not hesitate to withdraw.

The Speaker: Thank you.

Mr Brandt: In the spirit of civility that is now on the floor on the part of the Attorney General, I would like to address my supplementary to the Attorney General in connection with the difficulties that I well appreciate surround this entire issue.

Is the Attorney General—through him to the Premier, to whom I cannot address this question—prepared at least to negotiate with the leaders of the opposition and their parties in connection with the appointment of the head of this judicial inquiry, and also to very carefully—I say to him in the interests of co-operation—and very sensitively develop the terms of reference for the inquiry, so that we can bring some order to the way in which we proceed through this House and through the inquiry, which obviously will be independent of this House?

Hon Mr Scott: I should say, without hesitation, that I look forward, either in this place or by letter or more informally, to any suggestions the Leader of the Opposition or the leader of the third party wants to make on that subject. I want to assure them they will get my best possible consideration. I share their instinct.

Mr Brandt: I would ask the Attorney General not to wait for a proactive move on the part of the members of the opposition. What we are in fact asking for is for the Attorney General and the government to sit down and discuss, at least in somewhat of an amicable fashion, the method by which we can proceed in order to get on with other business in this House, as well as just this affair that is before us at the moment.

My appeal to him, as a gentleman and as an honourable member of this House, is, is he prepared to sit down with us and negotiate adequate, reasonable terms of reference with respect to this entire matter so that it will not become, on a daily basis, an issue for us to raise by way of questions to him about the inadequacy of the inquiry, the inadequacy of the terms of reference and the parameters upon which he drafts this entire inquiry? Is he prepared to set that issue aside by sitting down before the fact and working out some of those details with us?

Hon Mr Scott: The honourable leader of the third party asks me not to await any proactive stance on the part of his party. Many years before I came here I waited vainly for any proactive stance on the part of his party and got none. But

let me say this: I am prepared to receive, as is the government, whatever suggestions he may have. If he cares to meet with me at the end of question period so I can hear his suggestions, I am willing and will make myself available precisely for that purpose.

PROPOSED POLICE COMMISSION APPOINTMENT

Mr Brandt: My question is to the Premier. Today's Globe and Mail carries a story in connection with the possible appointment of one of the DelZotto brothers to the Ontario Police Commission. I wonder if the Premier could confirm if that possible appointment was in fact discussed between him and the Attorney General in connection with the appropriateness of the appointment?

Hon Mr Peterson: A great number of names come forward for potential appointments, including ones that the leader of the third party brings to my attention, as do other members of this House. The answer is that it was raised, and it was discussed and rejected.

Mr Brandt: My understanding is that it was a little more complicated than that. My understanding is that the former Solicitor General, the member for Kingston and The Islands (Mr Keyes), did in fact recommend one of the DelZottos for an appointment to the Ontario Police Commission, but that there was an intervention on the part of the Attorney General (Mr Scott) with respect to that possibility. Could the Premier confirm that was the sequence of events?

Hon Mr Peterson: I do not think I can confirm the first part of that. Definitely, the second part, I can confirm. The Attorney General and I agreed it was not the appropriate appointment in the circumstances.

Mr Brandt: Could the Premier also confirm that a former member of the Ontario Police Commission, Archie Ferguson, I believe, had discussions with him in regard to the appropriateness of that appointment and that this intervention, as well, took place in connection with the possible appointment of one of the DelZottos to the Ontario Police Commission?

Hon Mr Peterson: He was not a member of the police commission; Archie Ferguson was the commissioner, Ontario Provincial Police. Frankly, I do not recall whether that was specifically discussed with him. Generally, police commission appointments are not discussed with the commissioner, at least not by me. At the same

time, there is wide discussion about these kinds of things. For example, if a potential police commission one comes along in some community, I am told and the acting Solicitor General (Mr Scott) will confirm this, generally there is discussion with the local people as to the appropriateness and all of that kind of thing.

Let me just finish up and, I guess, answer the question I think my friend wants to ask. It was never the Attorney General's intent, or mine, to appoint the named individual. So I am not sure—and this could apply to many, many other potential appointments. I guess what I am telling my friend is that there is a lot of excitement about something that did not take place.

Mr B. Rae: There certainly is. I think the Premier is quite right about that. We know a report was in fact prepared with respect to one of the DelZotto brothers. I would like to ask the Premier this specific question: Which one of the members of the DelZotto family was proposed for a position on the Ontario Police Commission? When did this take place and precisely why was Mr DelZotto's name rejected?

Hon Mr Peterson: I will refer it to the Attorney General.

Hon Mr Scott: Our understanding, having made an investigation, is that routinely the Deputy Solicitor General makes inquiries in the community and for the Ontario Police Commission in the broader community about persons who may be considered for the appointment. Those inquiries are orally made and orally responded to.

At the time of the appointments to the Ontario Police Commission last made, I am also advised there was not on hand any written police report about any of the DelZottos as far as we can ascertain. That is the circumstance and that is an important fact to know in light of the newspaper's report this morning.

Which of the DelZottos was being considered for the police commission, I am not frankly able to say at the moment, except that I simply observe this: None of them was appointed. It was the determination of the government of the day to appoint other people to those jobs, and we did.

Mr B. Rae: Perhaps the acting Solicitor General, who has again been referred this question by the Premier—I would much prefer my supplementary to go to the Premier. The criminal investigation service did apparently prepare a memorandum of some kind with respect to one of the DelZotto brothers, and I do not know which one because the Premier has not told us. The Premier in his previous answer said a name was

raised. It was discussed and it was rejected. All we are asking to know is this: Who raised whose name? Who proposed whose name? Who discussed whose name? Who then decided to reject it and why? I think we are entitled to an answer to each of those questions.

Hon Mr Scott: There are parts of that question I do not think anybody can answer, but what I can tell the honourable member is that routine inquiries from communities and police are made not only with respect to OPC appointments; they are made with respect to all police board appointments and with respect to other appointments of a quasi-judicial character such as the appointment of judges and the appointment of members of the Criminal Injuries Compensation Board.

I can tell the honourable member that no written report, as far as can be ascertained, was received about any of the DelZotto family being appointed to a police commission. As the Premier has already said, there were a number of people who were opposed to any such appointment even being considered, and none was made. That is the reality of the matter.

Mr D. S. Cooke: Why?

Hon Mr Scott: I will tell my friend why none was made. None was made because it was thought either that the appointment was inappropriate, or alternatively, that a better candidate was available, the same basis on which we reject thousands of people, including applicants from the New Democratic Party, for a wide variety of government jobs.

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PATRICIA STARR

Mr Harris: A question to the Premier: We are all indeed concerned with the integrity of the system and with the perception of politicians in general, from all parties.

This past weekend the Minister of Revenue (Mr Grandmaître) was on a CBC radio talk show. He spoke about a \$1,250 donation his riding association received. He said: "It"—meaning the cheque—"was endorsed over to the Ontario Liberal Party. They cashed the cheque, provided me with the money, \$1,250, and that is perfectly legal. That is according to the law, and we have to close those loopholes."

When asked further, the Minister of Revenue said, "I did receive the money, but indirectly through the Ontario Liberal Party." When asked by the interviewer if he had a problem with that, the minister said: "Exactly. We have to close the loophole. We are going to change the law."

I would ask the Premier if he can tell us what sort of credibility he expects to have as Premier when one of his cabinet ministers is saying how terrible it is to have these loopholes and the law has to be changed seconds after he admits, "Yes, I exploited those loopholes for my own purposes."

Hon Mr Peterson: The Commission on Election Finances is looking into this matter. I am not sure if my honourable friend is alleging anything illegal or getting around the law in the circumstances. He may well be, and if there was a mistake made, obviously the election expenses commission will look into this and report back to this House.

I cannot stand here and attest to the fact that no mistakes have been made in reporting. Obviously, some have. They may have been for the member's party or other parties as well. But let me say at the same time to my honourable friend that if he believes or if other members of the House believe there should be changes in the Election Finances Act, which the commissioner, Donald MacDonald, former member of this House and former leader of the New Democratic Party, argued was the most open in North America—I think those were his words—if the member for Nipissing thinks the law can be changed and improved upon, let us look at this matter. Let us sit down together and change the laws, if he thinks that is appropriate. We have no objection to looking at them.

Mr Harris: During the same interview, Matt Maychak of the Toronto Star was interviewed. When asked about the situation, Mr Maychak said he had discussed the matter with the chairman of the election finances commission, who stated clearly that what the Minister of Revenue had done was not take advantage of a loophole but break the law; simple as that.

In view of the fact there was no problem with the law—the Premier keeps coming back to this law and he wants to have more and more laws to replace what I suggest are integrity, common sense, doing the right thing. I myself do not know whether the law was broken; I do not know in this situation. But I am telling the Premier that when he has ministers talking about using all the loopholes and saying we have to close the loopholes—apparently it was not a loophole; it was breaking the law—when he has ministers in this sensitive time, on air, talking this way, it does not do justice to the Premier, his party or indeed any member of this chamber.

I would ask the Premier if he has looked into this situation and if he is satisfied that indeed that

is the way his ministers are supposed to be carrying out their activities, looking for these loopholes to see if indeed they can find ways to get around the laws.

Hon Mr Peterson: Frankly, I am not aware of this particular interview or the facts surrounding this particular donation, but my honourable friend stands in the House and says on the one hand, "We do not want any more laws." On the other hand, he says he does not know whether he has broken the law or not, but then he stands there and makes a lot of allegations.

Is that not why we have an election expenses commission and an independent commissioner, to make these determinations? He is doing that. He may well come to the conclusion the law has been broken, in which event penalties will be levied in the circumstances. Surely, that is why the whole situation is there.

My honourable friend cannot, on the one hand, say he does not know whether the law has been broken, but he does not want any more laws, and on the other hand, make allegations that laws have been broken. I think my honourable friend would want to be somewhat fairminded about this. I attend, as he does, the report of the chairman of the Commission on Election Finances. If the member has any suggestion of anything being done that is incorrect or against the law, I think he should refer it to the election expenses commissioner, who is an independent officer of this House.

HIGHWAY CONSTRUCTION AND SIGNAGE

Mr Adams: My question is for the Minister of Transportation. There were two serious accidents on Highway 115 yesterday and I am very concerned that it is at a dangerous construction stage. Part of the highway is already four-laned and part is not. People have great difficulty adjusting speed to the two situations. Can the minister give me some assurance that the four-laning of Highway 115 is on track.

Hon Mr Fulton: I appreciate the member's ongoing interest with respect to transportation in and out and within the city of Peterborough. I can assure him that as we move the project forward, as we announced two or three years ago, the four-laning of Highway 115-35 is on schedule, almost to within the week, and will be completed in 1992.

Mr Adams: I thank the minister for that reply.

On a related matter to do with Highway 115, prior to the completion of construction it seems to me important, from the point of view of safety

and from the point of view of the profile of our communities, that signage on it be really well designed. Is the ministry willing to consider suggestions about signage for Highway 115, and in particular, the suggestion that the highway might well have a name?

Hon Mr Fulton: Certainly, we would be willing to meet with any people who have thoughts on how the highway should be signed. Specifically, if the member is talking about designating it with the name of a person or tourist attraction or some such, I think we have a mechanism between the Ministry of Tourism and Recreation and the Ministry of Transportation with a committee comprised of residents and perhaps the member and others with an interest in the project. We would be more than happy to set that in motion for him.

PROPOSED POLICE COMMISSION APPOINTMENT

Mr B. Rae: I want to go to the Premier on an earlier answer he gave. He talked about a name being raised, about a name being discussed and about a name being rejected. Can the Premier tell us whose name was raised, discussed and rejected?

Hon Mr Peterson: Elvio DelZotto.

Mr B. Rae: I want to ask the Premier precisely, when did this discussion take place in the life of this government?

Hon Mr Peterson: I cannot tell the member precisely the date. It would be—oh, I do not know—two or three years ago. I just cannot tell the member precisely. I can find that out. I can check the records in order to do that. But I want to tell my honourable friend, it is like many other names which are discussed at various committees by various people, like any other name that comes along from him or anybody else. It came up and was rejected.

PATRICIA STARR

Mr Brandt: My question is to the Minister of Culture and Communications. I would like to ask the minister, in light of the events of the weekend, information that has come out further confirming the contact she had with Mrs Starr in regard to the appointment her mother received, has she reconsidered her position with respect to resigning from cabinet?

Hon Ms Oddie Munro: I think my position is the same as it always has been. I have listened to every member of the House, to the community and to the press on my reaction. I feel that I was

not in any conflict of interest. I have asked for a ruling from Mr Justice Evans. I cannot say anything other than that. I really am confident that the investigation, which I intend to participate in fully, will end up answering all the questions the member has. If he would like to advance to me any further reasons for answering the question, I will try to answer it to him.

Mr Brandt: My difficulty with this whole matter, and it is a difficult matter, is the fact that the minister intervened by way of recommending a member of her family, namely, her mother, ultimately ending up in a \$5,000 transaction with a party who is now under a great deal of study and concern on the part of this Legislature, namely, Ms Starr, and a party with whom her ministry has a great deal of contact, as well as to whom grants are provided.

If the minister is not prepared to do what some consider to be the honourable thing under very, very difficult circumstances, and I appreciate that, does she not see, irrespective of the Conflict of Interest Commissioner's position, a difficulty in recommending her mother for this kind of contract through a party like Ms Starr, with whom the minister has other arrangements and other dealings on behalf of her ministry? Does the minister not see that problem?

1430

Hon Ms Oddie Munro: I have indicated that I realized there would be a perception among some members of the House and the community that my role would be inappropriate. I do not believe I made any intervention. I think that in my casual conversation with Mrs Starr she did not represent herself as asking questions on behalf of the National Council of Jewish Women.

I believe my only recourse is to ask the Conflict of Interest Commissioner for a ruling. That is exactly where I stand. My position has not changed. I want the member to know I have listened and I continue to listen to all the opinions of this House, the media and the community.

The Speaker: New question. That completes the questions? The Leader of the Opposition.

Mr B. Rae: I was expecting a Liberal to get up. I guess they do not have any questions today.

PROPOSED POLICE COMMISSION APPOINTMENT

Mr B. Rae: I want to ask the Premier again about this process of the potential appointment or the recommendation of Elvio DelZotto to the Ontario Police Commission. I want to be clear with the Premier on how this recommendation

came to him. Presumably if it came to him it was in its final stages of discussion.

Can the Premier tell us, did a recommendation come to him from members of his staff, did it come to him from the general appointments process, did it come to him from the Solicitor General at that time? Whence came the name Elvio DelZotto?

Hon Mr Peterson: I should explain the general appointments procedure to my honourable friend. As he knows, we have opened up very substantially the appointments procedure in this province. There is a book available to everyone in this province about all order-in-council appointments and when the dates come up and who is there. This had never been the case, as my honourable friend knows, before we changed the system and opened it up.

So people come in regularly and look at the book and say, "Gee, I would like to be on X commission," or whatever. People recommend—

Mr D. S. Cooke: That's what happened to DelZotto.

Hon Mr Peterson: Well, my honourable friend the member for Windsor-Riverside sits there very smugly and sanctimoniously and tells me about—he does not figure that he and his friends take advantage of the process. We have appointed a lot of his friends and will continue to do so because we think, contrary to popular belief, some of those people have some talent. I am prepared to do that and we have done it in the past.

So these names come forward. Many members opposite have written me letters, "Would you recommend such-and-such a person for the board of such-and-such hospital, the board of this, that or the other thing?" That is the way they all come forward, in a big list. There is a committee that puts in the things that are appropriate, where their recommendations come from, and they come to a committee that looks at all of these things. Prior to appointment, we tend to discuss these things with the appropriate person.

If the member phoned me and recommended, say, somebody for the Social Assistance Review Board, we would send him to the chairman of the Social Assistance Review Board for an interview. If that person came back and said, "Gee, we do not think that person is appropriate or we would recommend him," it goes in the mill. That is how appointments are made with police commissions and a wide variety of other things. They do not come to me with a final recommendation necessarily.

A variety of names will come forward with various recommendations from various people, judgements are made and finally I have to recommend them to the cabinet. Frequently we will go to the cabinet, it will come up and somebody at cabinet will say, "I disagree with"—

The Speaker: Thank you. It seems like a fairly reasonable answer.

Mr B. Rae: I did not hear an answer anywhere there to my question. I asked a question with respect to Elvio DelZotto. I do not need a political science lecture from the Premier, though I always appreciate knowing it.

I want to know who initiated Mr DelZotto's name, I want to know who interviewed Mr DelZotto, I want to know whether Mr DelZotto's name was presented to the Premier and I want to know whether the Premier presented Mr DelZotto's name to the cabinet. Those are legitimate questions with respect to the appointment of Elvio DelZotto to the Ontario Police Commission, and that is the subject of my question.

Hon Mr Peterson: I know this is a super-charged situation. I realize there is an inquiry going on. I know a lot of allegations are being made, and we are going to track them all down. But this is the first time I have seen such a fuss about something that did not happen. I just wanted to make that point.

Number two, let me say it was never presented to cabinet, to answer the honourable member's question. The Attorney General (Mr Scott), obviously, was not in favour of the situation and neither was I. The committee had been on a list at one point or other and it did not go forward.

POLITICAL CONTRIBUTIONS

Mr Sterling: I have a question of the Premier as well. About three months ago, the Ontario Liberal Party held a fund-raiser in the Ottawa-Carleton area. At that fund-raiser there were, I believe, a dozen trustees from the Ottawa Roman Catholic Separate School Board. Those particular trustees each paid, I think, \$200 to \$250 to attend the dinner. They went back to their school board, and I think nine of them were reimbursed by their school board for attending a Liberal fund-raiser.

Does the Premier believe the Liberal Party should be accepting funds indirectly from a school board which is financed at least 30 to 35 per cent, I believe, by the Ontario government?

Hon Mr Peterson: My colleague tells me that the Commission on Election Finances has ruled on that matter and said it is appropriate. That being said, we may want to sit down collectively

in this House and come to the conclusion that we should change the law.

The honourable member could ask the question of, say, a hospital board, charities or any other kind of quasi-judicial body. Frankly, if he wants my own opinion, it is not appropriate and I do not think we should allow that.

I had heard about that situation. It appears to me that it was perhaps—I hate to use the word—a loophole or an ambiguity in the law. The commissioner ruled it was appropriate, but I think that as we look at the act, we should collectively in this House come to the conclusion that those kinds of contributions from transfer agencies are not appropriate.

Mr Sterling: I appreciate the Premier's comments. I believe the Premier and political parties should look above and beyond the strict forms of the law. In that regard, has the Ontario Liberal Party then returned those funds to the Ottawa separate school board, in conjunction with his feeling?

Hon Mr Peterson: Very frankly, I cannot answer that particular question, whether we did or did not or what the resolution was. I remember reading about it in the paper at the time, because there was quite a fuss, as I recall, at the school board and there was a public discussion of the appropriateness of that situation. I frankly do not remember the resolution of that, but perhaps we as legislators have to change the law to remove all the ambiguities.

HIGHWAY CONSTRUCTION AND SIGNAGE

Mr Neumann: My question is to the Minister of Transportation. Last week there was some concern expressed in our community about a decision of the regional office of the Ministry of Transportation to remove the name of Brantford from the overhead sign at the entrance to Highway 403 off the Queen Elizabeth Way. Considering the importance of economic revitalization in the community, there is quite a bit of concern within Brantford. I referred this matter informally to the minister and I would like to know if he has a response.

Mr Wildman: Don't you write letters about this?

Mrs Marland: To use the time of the House for an answer like this is absurd.

The Speaker: Order.

Hon Mr Fulton: I appreciate the member's question and his persistence in representing the people of Brantford. I am able to tell the member

that as a result of a meeting that followed the request from him, the signage to indicate the great city of Brantford will remain as is.

Mr Neumann: I have heard comments from the opposition that it is absurd to raise a question like this. I will stand up in this House and defend the economic revitalization of our community.

The Speaker: Do you have a supplementary?

Mr Neumann: In light of this economic revitalization of the community, which is so important to Brantford, I would like the minister to report as well on the linkage of Highway 403 between Ancaster and Brantford to enhance that revitalization.

Hon Mr Fulton: I would certainly echo the member's comments with respect to the value of highway signage to a community, for economic development and economic betterment and certainly the generation of tourism, which is a growing area of economic development in the city of Brantford.

Highway 403, which members on both sides of this House have been actively participating to complete, is well under way and is on target.

1440

PROPOSED POLICE COMMISSION APPOINTMENT

Mr B. Rae: I want to get to the bottom of this question of Mr DelZotto's nonappointment to the Ontario Police Commission. Given the statements that were made about evidence provided to the Royal Commission on Certain Sectors of the Building Industry in the 1970s, I can tell the House and the Premier that I find it absolutely astonishing that Elvio DelZotto's name would even be discussed seriously by members of the Ontario Liberal cabinet. It is absolutely astonishing.

I would like to ask the Premier: If he is saying that the name was rejected by the Attorney General (Mr Scott) and by himself, can he provide any explanation as to how it is that Mr DelZotto's name got so far in the appointment process?

Hon Mr Peterson: It was not far up the process, so my honourable friend is digging, digging, digging, but he is not going to find anything.

Mr B. Rae: Is the Premier asking us to believe that when he has to veto a name, then that name has not gone far in the process? Is he asking us to take that seriously in terms of how the government operates?

Hon Mr Peterson: It is a very open system. Lots of names are brought forward—

Interjection.

Hon Mr Peterson: He may run a different kind of a system, but he is absolutely wrong and as a judge of candour in this House he is not particularly objective.

Interjections.

The Speaker: Order. It would be helpful if members would pay attention, and I will recognize the member for Nipissing.

PATRICIA STARR

Mr Harris: The question is for the Minister of Skills Development. He seems to be aware of published reports this past weekend that Mrs Patricia Starr arranged a fund-raising dinner for him when he was Minister of Housing. I know the minister will have checked his records, so he can supply us with the details of the fund-raising dinner. I wonder if the minister could tell us: How much did it raise, were developers invited, what role did Mrs Starr play, and was Tridel involved in any way in this event?

Hon Mr Curling: I presume that everyone can contribute, if he wants, to the fund-raising and I am quite sure that developers have contributed to my fund-raising. Mrs Starr and my riding organization were the ones that organized the fund-raising, so they were involved, of course.

In regard to how much was raised, if the member wants that, I know it is public knowledge that members can get the details on my fund-raising at any time.

Mr Harris: I guess the minister just missed "Was Tridel involved?" I leave that to him; perhaps he could respond with a supplementary.

The minister will recall that it was on his recommendation that Mrs Patti Starr was appointed to the board of the Metropolitan Toronto Housing Authority. The date of that appointment was 19 February 1986. The minister will also be aware that, to paraphrase the words of the Premier (Mr Peterson), this coincidence certainly looks bad.

Can the minister tell us on whose recommendation he appointed Mrs Starr, and did he receive any advice from the Premier's office for that appointment?

Hon Mr Curling: I have been saying that I had no advice from the Premier in that regard. As in any appointment, when I was then the Minister of Housing, there were a number of names that came forward to be appointed to the Metropolitan

Toronto Housing Authority. I have many, many other boards.

In regard to recommendations, I made recommendations to the cabinet that her name be put forward. The cabinet made that decision to approve her for the Metropolitan Toronto Housing Authority.

In regard to whether Tridel was involved in my fund-raising, if I heard the member correctly, I presume that it must have contributed to the fund-raising, of course, just like any other developer. It is quite possible.

The Speaker: I am sorry to interrupt; I was just listening carefully to the question and the response. It is up to the Speaker to recognize whether the subject matter pertains to the responsibility of the minister. I had a little difficulty with that; however, the minister agreed to answer.

RECYCLING

Mr Owen: I have a question for the Minister of the Environment. It seems that every month and every week the public becomes more and more concerned about waste management and what it is doing or not doing to our areas, and more and more interest is being shown in the recycling initiatives which this government has been introducing. In particular, the blue box program has been introduced. I learned recently that, every week, a new municipality in this province is starting a similar program.

I would ask the minister if could he update us. Exactly where is the program? Are any problems being experienced with the introduction of programs? Where we are going?

Hon Mr Bradley: The member is quite correct in assuming that a number of municipalities are coming on stream virtually every week and that they are coming from all parts of Ontario. We estimate at the present time that there are 1.5 million households on the blue box program. We are hopeful, and I think we can reasonably expect, that by 1995 we will have some three million households on the blue box program.

I think what is significant about it in the member's area and other areas is that it need not simply be the basic components of the blue box program that dominate, but rather there are new and different materials which may be included as time goes on which will help to reduce the amount of waste that would normally go to either an incinerator or a landfill site.

I want to assure the member that we will expand, for instance, to multifamily dwellings in

municipalities. We encourage them to do so. Indeed, we will look at even the more remote municipalities and some of the difficulties they have experienced, as we have in northern Ontario, to provide some special counsel and assistance in that regard. We certainly believe that is going to be beneficial to all the municipalities that take part.

Mr Owen: I appreciate that the answer to that question could be termed good news, but I want to go a little further, to an area which is probably more complex, more complicated and more difficult; that is, what we can or cannot do with regard to industry reducing the amount of waste entering our landfill sites. It appears that it is not quite as simple and as easily managed.

My question to the minister is: What is being proposed with regard to the same problem with industry as opposed to the households of this province?

Hon Mr Bradley: The member is quite correct in assuming that the amount of industrial and commercial garbage is a very significant contributor to the waste stream. That is particularly so in larger urban centres. One thinks of the Metropolitan Toronto area, for instance, where there are a lot of commercial businesses and industries. That is certainly the case.

We in Ontario have benefited, for instance, from the \$20-million investment on the part of the soft drink industry and its support for recycling in this province. In addition to this, we expect there is going to be an expanded Ontario Multi-Material Recycling Inc type of circumstance in Ontario, where we have others who are involved in the process. The newspaper publishers, for instance, have had discussions with ministry officials, as have the plastics industry, those who are involved in food processing, those who are involved in food retailing. All recognize that they have a contribution to make.

We are also encouraging the development of programs within businesses where fine paper can be recycled. We have a 4R grants program which assists those who have some new and innovative ideas designed in the industrial and business sector to reduce the amount of wastes that we have going naturally into landfills or to incinerators.

I could recount some of those in detail but I know that many members of the House are aware of those, so I will not.

CONSERVATION OFFICERS

Mr Wildman: I have a question for the Chairman of the Management Board of Cabinet.

In view of the statement made by the then Deputy Minister of Natural Resources, Mary Mogford, on 26 January 1987, that "I am committed to finding a solution for the current classification issue which will preserve this positive image"—that is, of conservation officers—and the subsequent statement made by the Minister of Natural Resources (Mr Kerrio) on 5 February 1987 in this House, can the chairman of Management Board explain why this grievance of 98 per cent of Ontario's conservation officers is still not resolved?

1450

Hon Mr Elston: I guess one of the reasons it is not resolved is that it has been referred back to the regular grievance procedures. There are certain things that have to be done. Hearings have been held. As I understand it, a recent decision by the board has just been delivered with respect to the jurisdiction that it has to set up an entirely new classification. I understand that matter is being reviewed now for the purposes of appeal and that is why it is not resolved.

Mr Wildman: Perhaps the Chairman of Management Board can explain why the union has been forced to go to the grievance board and now to an appeal. Why is there not a commitment on the part of the government to resolve this issue and to properly recognize the conservation officers' enforcement role in the development of the class standard for the new resource technician for the conservation officer category? Why is the government not committed and willing and determined to resolve this issue now?

Hon Mr Elston: The parties to this, the employer and the employees, are in a process that has been established over the course of many years as being a legitimate process to be used. There is, I think, a willingness to talk to the issues, but once you are in the process, you must take the issues through the routes that are prescribed. Certain things have been done. The hearings have been held and decisions rendered, and now decisions will have to be made with respect to appeals of the decisions provided to us, the latest just on 14 June—

Mr Wildman: They are only appealing decisions because you guys argue against their petitions.

Hon Mr Elston: The member for Algoma wishes to participate in a debate. That is not the purpose of my answer. My purpose is to answer his question, which is that we are in the process of resolving a grievance in accordance with what is a procedure—

Mr Wildman: Four years now. It has gone on four years before the board.

The Speaker: Order.

Hon Mr Elston: I can tell the honourable gentleman that we are in fact busy following those procedures. There is commitment, as expressed by the current member for Niagara Falls, the Minister of Natural Resources, and the previous deputy. That does not mean discussions can all of a sudden become unilateral. They are bipartisan and have to be resolved in accordance with agreement, but once you are in the process, you are in the process, and that is what we are doing, going through the process as required by legislation.

The Speaker: New question, the member for—

Hon Mr Kerrio: You didn't want to hire them.

Mr Wildman: Four years. You are so ridiculous. That is why I didn't ask you the question.

Hon Mr Kerrio: That's right.

Mr Wildman: You couldn't answer me.

The Speaker: Are the member for Algoma and the minister finished?

Hon Mr Kerrio: Thank you, Mr Speaker.

The Speaker: Are you? Fine. Thank you. I will recognize the member for Mississauga South.

CARDIOVASCULAR CARE

Mrs Marland: My question is to the Minister of Health. I rise today to tell her about the death of one of my constituents, a man by the name of A. J. Kemp, who lived on Atwater Avenue in Mississauga South. Mr Kemp was another patient who, in his case, was waiting three months for an angiogram, simply a diagnostic tool, as the minister is well aware, to find out whether or not he could be a candidate for a procedure to deal with his cardiovascular problem.

The minister has been making a number of announcements. She has told us that the problems with cardiovascular surgery, and obviously the diagnostic equipment and appointments needed to make those decisions on a medical basis, were history. I wonder whether she can tell us today how she feels when she knows that another patient has died because the health care service in this province is not what it needs to be in 1989.

Hon Mrs Caplan: I would say to the member opposite that I am always saddened to hear of premature death by anyone in this province, of course, and certainly I would say to her that she does a disservice to the thousands and thousands of health care professionals, the over 200,000 health care professionals working in this province to provide what is considered exceptional care to the people of this province.

I would say to her that we have identified cardiovascular services as a provincial priority and that we have moved to develop a network within our system to encourage the nine hospitals in six centres, and the many physicians, nurses and others who work in those centres, to ensure that people who need the services have them provided in a timely manner and as close to home as possible. It is the physicians in this province who use their very best medical judgement to make those determinations, and I say she does a disservice to them to suggest we do not have in place a very fine system.

Mrs Marland: I do not think the minister heard what I was saying. I am not doing a disservice to the people who render health care service in this province. In fact, nobody has fought more than I have for the doctors and the health care professionals of this province. The fact of the matter is the disservice is to them because it is their patients who die because they do not have the diagnostic tools and appointments to save them.

My question to the minister is, since she is the one who is responsible for whether or not these appointments are available before three months, and since it is her ministry that gives the tools to these health care professionals, be they doctors or nurses, with whom we did have a world-class health care system in this province—

The Speaker: Can you get to the question?

Mrs Marland: —and since it is her ministry that allocates the funding, when those patients die waiting for those appointments, I want to—

The Speaker: Thank you. Order.

Hon Mrs Caplan: I would say to the member opposite that I think, by the very question she asks, she does not understand how this system works or how resources are allocated. I would say to her that if she is expecting political intervention in specific cases of medical judgement, then she is wrong. We do not tell the doctors of this province how to practise medicine, and I can say to her that they do their very best to ensure that people who are in need receive

the care and treatment they need in order of priority.

I can tell her that the physicians, the nurses and the hospitals are working co-operatively with the ministry to make sure we have in place the kind of common definitions, standards and outcome data to make sure that what we provide to the people of this province is available in all communities and as close to home as possible.

She would know, however, that heart disease is the number one killer in this province and that there is much people can do to prevent heart disease. Much of our program is provided at prevention strategies. We have done much in the way of the healthy heart campaign. We have also done much in the area of treatment services and in the area of research.

The Speaker: That completes oral questions and responses.

PATRICIA STARR

Hon R. F. Nixon: Mr Speaker, during question period the honourable member for Nipissing (Mr Harris) put a question and a supplementary to the Minister of Skills Development (Mr Curling) asking for details of a fund-raiser when the Minister of Skills Development was Minister of Housing, three years ago. The minister gave an answer all of us heard, and at the end of that you said you had listened carefully and could not hear anything that pertained to the responsibilities of the Minister of Skills Development, but that he had not objected.

I agree with you in that connection. I think you would understand, however, that the minister would not want to object. He did answer and he did not want to appear unwilling to answer, but I agree with you that it was not in order. I would just suggest to you that you have a certain responsibility to rule in those matters, not to wait for an objection.

Mr Pope: Mr Speaker, I think the Deputy Premier indicated that you had ruled the questions were not in order. I do not think that was your ruling at all. I think you raised the question—

Hon Mr Nixon: Did not say that.

Mr Pope: Yes, he did. I am sorry, but he did say that.

Hon Mr Sorbara: Certainly, Alan has nothing to say. He is doing a guest appearance in the Legislature.

Mr Pope: I think the Minister of Labour (Mr Sorbara), speaking from some other seat, is making some comments. I would say to the

Minister of Labour, if he was spending more time on his job with respect to Bill 162—

The Speaker: Thank you. Order.

Mr Pope: —maybe all of us would not have to be here as much.

The Speaker: Order. Order. I have listened very carefully to the two members who have spoken. I drew it to the attention of the House and I will certainly consider it more thoroughly for any future questions.

1500

PETITIONS

TEACHERS' SUPERANNUATION

Mr Faubert: I have a petition I wish to read into the record on behalf of the member for Scarborough East (Mr Fulton) from the members of the Scarborough-East York Superannuated Teachers of Ontario:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"To amend the Teachers' Superannuation Act."

The preamble is similar to all these petitions that have been presented. As per the standing orders, I have affixed my name thereto and I hereby present it for consideration.

SOCIAL ASSISTANCE

Mr McGuinty: I have a petition addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario that calls upon the government to support the recommendations of the report of the Social Assistance Review Committee, Transitions.

This petition has been signed by 816 constituents along the way from Ottawa to Toronto, gathered by Mr Ayoub, who notwithstanding the fact that he has two artificial knees cycled from Ottawa to Toronto.

TEACHERS' SUPERANNUATION

Mr Jackson: I have a petition:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"Whereas the government of Ontario in its discussions with the Ontario Teachers' Federation on amendments to the Teachers' Superannuation Act has continually refused to permit an equal partnership between teachers and government in management of the pension fund, establishment of an acceptable contribution increase, benefit adjustments, an equitable treat-

ment of future surpluses and a binding arbitration process,

"We, the undersigned, petition the Legislative Assembly to insist that the Treasurer of Ontario enter into negotiations with the Ontario Teachers' Federation which will lead to a settlement equitable to teachers."

That is from 500 teachers from southwestern Ontario, and it has my signature and support.

Mr Miclash: I have a petition that reads:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"To amend the Teachers' Superannuation Act, 1983, in order that all teachers who retired prior to 31 May 1982 have their pensions recalculated on the best five years rather than at the present seven or 10 years.

"The proposed amendment would make the five-year criteria applicable to all retired teachers and would eliminate the present inequitable treatment."

This is signed by 59 Dryden teachers, and I have attached my signature to it as well.

ORDERS OF THE DAY

POWER CORPORATION AMENDMENT ACT, 1989 (continued)

Resuming the adjourned debate on the motion for second reading of Bill 19, An Act to amend the Power Corporation Act.

The Speaker: I believe the member for Durham East (Mr Cureatz) adjourned the debate. However, I guess he completed his remarks.

Mr Eves: I have spoken to the member for Durham East and he has completed his remarks.

The Speaker: Do any other members wish to participate in the debate? If not, the minister may wish to make some final comments.

Hon Mr Wong: Having listened to the considerable comments on the part of the critics representing the opposition party and the third party, I thank them again for their very constructive input. I seriously gave consideration to their comments and I would just like to summarize by making a few observations and points.

I would like to remind all members that the debt guarantee fee we are talking about is a measure that the Ontario Energy Board has supported. In the last few years, the board examined the question of a fee very closely. In its reports on Ontario Hydro's proposals on electricity rates for both 1988 and 1989, the board

recommended that Hydro be required to pay this fee.

The principal reason for introducing the fee is to charge Hydro for the benefit—I underline the word benefit—of a debt guarantee from the province. Quite clearly, Hydro would face a higher cost of borrowing if it had to do so on its own account.

I would also like to clarify that the fee is not a tax; it is a fee for service. In essence, it is a charge for services provided by Ontario to Ontario Hydro. The fee will be applied to Hydro's total provincially guaranteed outstanding debt, as well as all other outstanding sums advanced to Hydro as of the previous 31 December. We estimate that the fee for 1990 will be about \$138 million.

Motion agreed to.

Bill ordered for third reading.

RETAIL SALES TAX AMENDMENT ACT, 1989

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Hon Mr Grandmaître moved second reading of Bill 22, An Act to amend the Retail Sales Tax Act.

Hon Mr Grandmaître: As announced by the Treasurer (Mr R. F. Nixon) in his budget speech of 17 May of this year, this bill includes proposed tax measures to support the government's commitment to finance environmental programs, as well as other administrative changes to clarify the Retail Sales Tax Act.

Effective 1 June of this year, a tax of \$5 will be charged on the purchase of each new pneumatic tire consumed or used in Ontario. New tires acquired with the purchase of a vehicle, including spare tires, will be subject to the \$5 tax. The tire tax will not apply on several classes of tires, such as tires for production machinery, farm equipment, firefighting vehicles, commercial aircraft, wheelchairs, bicycles or toys.

A compter du 1^{er} juin 1989, une taxe de 5 \$ sera imposée à l'achat de tout pneu neuf consommé ou utilisé en Ontario. Les pneus neufs acquis à l'achat d'un véhicule, y compris les pneus de rechange, seront soumis à cette taxe de 5 \$.

La taxe sur les pneus ne touchera pas certaines catégories de pneus, tels que les pneus des machines servant à la production, des machines agricoles, des véhicules de lutte contre l'incendie, des avions commerciaux, des fauteuils roulants, des bicyclettes et des jouets.

Also, effective 1 July 1989, a graduated gas-guzzler tax will be payable on the purchase of new passenger cars which consume 9.5 or more litres of fuel per 100 kilometres of highway driving. The tax payable will range from \$600 to \$3,500 depending on the vehicle's highway fuel consumption rating as published by the federal Department of Transport.

The purchaser of a new car may qualify for a refund of the guzzler tax and the eight per cent sales tax if the vehicle is converted to a single-use alternative fuel such as natural gas or propane.

Effective 1 June 1989, the general tax exemption for consumers of fertilizers, insecticides, weed and rodent killers will be available only to farmers.

This bill also includes an extension of the time periods to contract to and to convert a vehicle to operate on alternatively powered fuels.

Finally, this bill introduces a cap on the amount of sales tax that may be refunded on vehicles used to transport people with physical disabilities, in the amount of \$1,600 for cars and \$2,400 for vans.

1510

It is my intention to propose two amendments to this bill. The first amendment pertains to the tire tax and will provide for a definition of the types of tires that will not be subject to the tire tax. The second amendment pertains to the gas-guzzler tax and will delete the reference to the vehicle manufacturer's fuel-consumption rating as an acceptable rating for the purposes of this tax.

Le Vice-Président : Questions et commentaires au sujet de la déclaration du ministre?

If not, do other members wish to participate in the debate?

Ms Bryden: With the provincial Treasurer moving second reading of Bill 22, An Act to amend the Retail Sales Tax Act, we are starting consideration of the four tax bills arising out of the Treasurer's second big tax-grab budget since his no-tax-increase budget just prior to the 1987 provincial election.

Before I discuss the details of the first of these four bills, I want to speak briefly about the overall effect of the tax increases, which totalled \$1.3 billion in 1988 and a further \$1.5 billion this year; I will then not have to repeat some of these general comments in the debate on each of the four bills before us in succession today.

We are concerned that all of the four tax bills before us provide for increases in regressive taxes. This means they impact more heavily on lower-income taxpayers. It means we are not

taxing corporations more. There is no bill before us for a minimum corporation tax, yet millions of dollars of corporate profits are tax-free. We are not taxing wealth in this province, especially inherited wealth. We are not taxing the huge profits of land speculators and land developers.

Because we are not taxing these sources of wealth, most of the \$1.5-billion tax increases fall on the low- and middle-income groups in this province. Moreover, the provincial Treasurer has hit residents of the greater Toronto area even harder. He is almost doubling their car registration fees from \$54 to \$90. He is adding to their licence fees. He is putting a new tax on residents of the greater Toronto area called the commercial concentration tax, which will be imposed on all commercial property and parking lots connected with them.

These taxes on the residents of the greater Toronto area are a new departure in taxation. They are taxation by geography. They could be considered discriminatory under the Charter of Rights, because they are based on the assumption that people who live in the greater Toronto area have more wealth than people who live elsewhere and that they can afford to pay much higher taxes.

In some cases, a great many of the people who live in the greater Toronto area are below the poverty line. A great many of them cannot afford to pay even the tax increases that are being applied across the province to all taxpayers in this budget, but it is assumed they benefit from living in the greater Toronto area.

This is something I think the provincial Treasurer should justify if he can, that there is a reason why people in that area should pay more taxes than people in the rest of the province. I think he will find it very hard to justify.

We must remember that the tax increases we are considering today are on top of a huge tax grab by the federal Minister of Finance in May, just a few weeks before the provincial Treasurer brought down his budget. The federal budget is a tax grab which also hits middle- and low-income groups the hardest. They are getting a double whammy this year. It is not surprising that there are signs of a tax revolt.

The new federal goods and services tax, which was also forecast in the federal budget, to start in 1991 at nine per cent, will also hit the lower- and middle-income groups, because it will be another regressive tax on top of all the regressive taxes we are looking at today. It is estimated that the federal budget will cost the average family \$700

this year and a further \$1,000 next year when the new goods and services tax comes in.

What are the taxpayers getting for this huge increase in taxes? Are low- and middle-income families and their children better off? Has poverty been eliminated? Is affordable housing a reality? Do we have a real plan to ease traffic congestion in Metropolitan Toronto or other parts of the province? The answer to each of these questions is no.

Instead, the provincial Treasurer is using almost a third of his new money to reduce the deficit. He is doing this at a time when many needs in this province are going unmet. People are crying out for action in the social and housing fields. They are crying out for more day care spaces. They are crying out for more progress in relieving transportation congestion. They are being starved of further implementation of the Thomson report, which was to have reformed and rationalized our welfare system so that people on welfare would have some prospect of getting off welfare and becoming contributing and independent members in society.

I ask, is it right that 10 years ago in Metro there was not a single food bank while, today, 84,000 people a month rely on food banks to survive?

Is it fair that first-time home buyers have been effectively denied the chance of owning their own home because of spiralling house prices? The increased land transfer tax will also hit all home buyers, and there will be no rebates for most home buyers in the Metro area because the ceilings are much too low. This will also apply in other major cities.

Is it right that a family of four with an income of \$14,000—\$10,000 below the poverty line—will continue to pay Ontario income tax while thousands of Ontarians earning over \$50,000 annually pay no income tax at all, thanks to tax loopholes?

The Treasurer does have options to these regressive, geographically selective taxes that he is imposing. The Treasurer can begin to redress the unfairness of the tax system if he so chooses. Here are some of our proposals.

He should, first of all, increase the Ontario property and retail tax credits. The Ontario system of property and sales tax credits is meant to provide tax relief to low- and moderate-income families and to senior citizens. Since the introduction of these credits, their purchasing power has fallen by over \$300 million and should be restored to their original real values in order to keep pace with the cost of living. These tax

credits have decreased in value by 40 per cent since they were first introduced.

1520

Second, the Treasurer could be looking at a land speculation tax instead of the taxes he has before us. This would reduce the number of houses being flipped for a quick profit and would go a long way to making the housing market affordable again for working people.

Third, the Treasurer should be considering a minimum corporate income tax. In the past 30 years, what used to be a 50-50 split in the proportion of taxes paid by corporations and individuals has become a 75-25 split, with individuals paying the larger ratio. In fact, over 25,000 corporations with profits of over \$7 billion continue to pay no tax.

Fourth, the Treasurer should be looking at a form of wealth and inheritance tax. The majority of Western democracies have these taxes; even the United States has an inheritance tax. The family home and farm would, of course, be exempt.

The Treasurer might even consider a tax on real estate developers who do not pay for the cost of increases in provincial and municipal infrastructure resulting from the urban sprawl they are creating. Servicing for million-dollar homes or condominiums is not something that should go untaxed. While such a tax may well be passed on to the home or condominium purchaser, at least it would not be paid by low-income groups.

Contrary to what the Liberals might think, there is nothing mysterious about establishing a fair tax system. Certainly no one can say that a tax system based on the things on which people spend their money, such as retail sales taxes, sin taxes, user fees and taxes on drivers, is equitable. With such taxes, rich and poor are taxed the same. A fair tax system is one based on what people earn or acquire through income, wealth, inheritance and speculation.

The budget was not a promising one from either a long-term or short-term perspective. It offered no creative or innovative solutions to effect a real change in our tax system. Why did the provincial Treasurer not put more of the new revenue into increasing child care spaces, reducing hospital bed waiting lists and helping workers who have been displaced by free trade and plant shutdowns to get retraining? This is clearly a government without the courage to set its own direction in taxation.

Instead, we have tax bills before us today which simply increase the regressivity of the overall tax system. This is not what we expected

from the new Liberal government. If the word "liberal" has any meaning to them, they should be reforming our tax system to increase its fairness.

As I am also the critic for senior citizens' affairs, I would like to point out that the four revenue bills before us today also adversely affect senior citizens in many ways. Many of them will be badly hurt by the new tax on tires, gasoline, vehicle registrations, licence fees and the pass-on of the payroll tax and the commercial concentration tax. The increased diesel fuel tax and the new payroll tax to replace Ontario health insurance plan premiums will also be passed on to them. The tax on parking lots will be passed on as well.

These added tax burdens seriously strain the resources of seniors, especially those on relatively fixed incomes, and do not forget that they come on top of a 7.6 per cent increase in auto insurance rates which is now allowed for this year. This is on top of increases of up to 20 to 40 per cent in the past three or four years.

The government's concern for helping senior citizens to be independent and to stay in their own homes is much jeopardized in the light of these new tax burdens which are being loaded on to seniors. The tax credits in the budget are completely inadequate to compensate seniors and they are only 40 per cent of what they were when they were established, as I have mentioned. I think seniors would have particularly liked to have seen more consideration for the impact of these regressive taxes on them.

I now want to turn to Bill 22 and discuss what are its main changes. This is the act to amend the Retail Sales Tax Act. The bill implements three major changes in the retail sales tax but adds a whole lot of extra charges on services and goods that have not been taxed before. It is basically a reversal of any trend towards a nonregressive tax system.

Let's look at the main changes. Effective 1 June 1989, a new tax of \$5 on each new pneumatic tire will be imposed. This will exclude bicycles, tricycles, commercial aeroplanes, farm equipment, wheelchairs, production machinery and firefighting vehicles, but it will produce a full-year's revenue of \$40 million.

Not all of these exemptions that I have mentioned were included in the original announcement by the Treasurer, but because they noticed that certain items like wheelbarrows were not covered, they are bringing in an amendment to give the minister full power to

determine what kind of pneumatic-tired vehicles should be exempted.

But it is basically a regressive tax that will hit everybody who drives a car. It will hit everybody who needs to use his car for going to work. It will hit seniors who need their cars in order to get around, especially when they cannot always use public transit. It will hit people who get goods delivered by any kind of vehicle with a pneumatic tire on it, and this could be a great number of our deliveries.

It is by no means a neutral tax or a progressive tax; it is an attempt by the Treasurer to hit a new subject under the Retail Sales Tax Act and I think it is a very retrograde step. It will affect the cost of everything from bus services to school buses to all delivery and goods transport services. Of course, this is something that will certainly affect low-income groups particularly, but middle-income groups and seniors as well.

The second major tax that is imposed under this bill is a new tax on fuel-inefficient cars, ranging from \$600 to \$3,500 and effective 1 July 1989. This is estimated to bring in a full year's revenue of \$8 million. So members can see that it is not going to hit very many fuel-inefficient cars. It could hardly be called an addition to the progressivity of our tax system.

1530

The amount of this tax is based on highway fuel consumption ratings. Because of concern that the rating provided by the manufacturer may be grossly inaccurate, the minister is proposing an amendment that will restrict the rating to that determined by the Department of Transport, if publicly available.

This will affect only a few gas guzzlers, but what we really need is an incentive for manufacturers of cars to concentrate on production of fuel-efficient cars and use of nonpolluting fuels. This kind of gesture is really just a token move by the provincial Treasurer to show that he has some concern about the environment, but he is really not very serious in cutting down the polluting effects of cars. We are still behind the United States in our control of the level of emissions from cars, and he has not really added much incentive to produce the kind of cars that will produce more efficient use of fuels.

Third, the Treasurer is extending the sales tax to certain items which have been exempt in the past. On 1 June 1989, fertilizers, herbicides, fungicides, insecticides and rodenticides will become subject to the eight per cent retail sales tax. Purchases by farmers will remain exempt.

There is considerable doubt growing about the use of these kinds of products by farmers, home owners, home gardeners and people who are using them in public parks or in school yards and things of that sort. There have been recent studies which have shown that these products are really highly polluting and there have been records or evidence of farmers being injured or having cancer problems from them. Let me quote about pesticide use in Ontario.

The Ontario Ministry of Agriculture and Food surveys pesticide use every five years. It started in 1973. The amount of pesticides used in 1978 was 6.6 million kilograms. In 1983, five years later, it had gone up to 8.7 million kilograms. This total shows a 33 per cent increase in the amount of pesticides used from 1978 to 1983 in Ontario. Herbicides also account for about 70 per cent of pesticide sales. They are used both by farmers and by gardeners.

These figures are really quite worrying, and the Ontario Ministry of Agriculture and Food pesticide reduction program, which is called Food Systems 2002, is completely inadequate and too young to show results yet in terms of volume of reduction of pesticides. The aim is to reduce pesticide use in agriculture by 50 per cent by the year 2002.

The program spelled out in the 1988 budget is really only one year old. It is almost at the research stage now. There is very little new money in the new budget for increasing this kind of research and analysis of how much pesticide is being used.

So our farmers are exempt, but they are also greatly at risk. While the people who use some of these products in their gardens pay eight per cent sales tax on them, they are still being exposed to the products. Most of them are still licensed in the province.

If we really believe in fighting pollution, the Treasurer should not have been trying the tax route to discourage use of all those products. He should have been trying the route of providing more money for more programs by the Ministry of Agriculture and Food, the Ministry of the Environment and the Ministry of Natural Resources, in order to reduce and find alternatives to the use of these products.

Regarding the tires, there was some suggestion that this was a way of encouraging the recycling of old tires and that the money could be used for producing recycling methods. I am told that tires are being accumulated throughout our rural areas in great piles in fields. There are very few tire recycling projects in the province. As a

matter of fact, the ministry has committed a total of only \$1.1 million to three tire recycling projects in its entire budget for research into all forms of recycling of tires. For all forms of industrial recycling, it will be spending only \$6.5 million in 1989-90.

This leads to the question: Where is the remaining \$23.5 million from the tire tax going? Perhaps the government will hire people to pick up old tires which the Treasurer says are littering farmers' fields. It seems to me that we need more than to pick them up and get them out of sight. We not only need to have a recycling program but to see that great piles are not being accumulated on prime agricultural land and that they are not being accumulated in piles that could be a fire hazard, because once they start to burn they are a very serious toxic pollutant.

I could comment on many of the other changes in the tax. There will be some additional tax on tax, where provincial tax is extended to federal communication taxes. Telephone taxes and cable charges will be taxed, as they have been to some extent in the past. Tax on tax does really seem unfair, and this is one of the reasons we think the whole question of the application of the retail sales tax should be reviewed very thoroughly and alternative forms of revenue found as much as possible.

I therefore urge the Treasurer to reconsider his extension of these taxes. Our party intends to vote against all four of these new tax bills because they are all regressive taxes and we had hoped that this government would be moving away from a regressive tax system to a progressive one. This is our way of telling them that there are other ways they could have taxed the people of this province, but they seem to be impervious to ideas that would suggest that we should be working towards a fairer tax system. So I am going to oppose this particular bill, as well as the other three bills.

1540

Mr Cousens: I was wondering if the member for Beaches-Woodbine (Ms Bryden) would give me her feeling on how the tax is going to be levied for the tire tax.

What happens now if a person is renting a vehicle, and maybe this is something the minister can comment on as well, is that the tax on the tires is not effective immediately, when he rents the car. In fact, it goes into effect after he has had the vehicle for a certain number of days, probably seven days, before the tax is then claimable by the province.

I am wondering whether the member is concerned about the administration that is going into all car rental agencies that are in some way going to be impacted by this new tax. From whom do they collect the tax on the tires, the person who rents the car for just the first day or the person who has rented it for the seventh day, or how many days in between?

That is a problem, and I wish the minister would be helpful. Maybe this is one of the concerns the member has. I know she hates taxes, but maybe this is just another reason for her to hate them with more vengeance. I would be interested in her comments on that, and maybe those of the Minister of Revenue (Mr Grand-maitre) as well. He is a specialist in loopholes, but maybe he would be able to help those who really want to be honest in paying their taxes as to just how they are going to handle this one.

If the member for Beaches-Woodbine has any thoughts on it, I would be most grateful. I know she is opposed to it, but maybe this is just going to fuel her fires even more.

Ms Bryden: I appreciate the question from the member for Markham (Mr Cousens). I think it is a very serious one as to how this tax will be administered. My first recommendation, of course, was just to drop it. Then we would have no administrative problem.

My second comment would be that it really is a very bad tax because it will encourage people to take risks and keep their tires longer. They will not want to pay that \$5 per tire. It is a tax that will hit rich and poor alike.

Mr J. M. Johnson: It's \$5.40.

Ms Bryden: That is right. Many people who need their cars will be travelling in unsafe vehicles if they cannot find the money for that new set of tires, so that is another reason for getting rid of it. I hope the minister can clarify some of the problems that the member for Markham has raised, but I think they are not worth clarifying. I think he should just withdraw such a very unfair and dangerous tax.

M. Pope : Il me fait plaisir de participer à ce débat sur le projet de loi 22, qui traite des mesures fiscales prises par le ministre du Revenu (L'hon. M. Grandmaitre).

Nous, du Parti progressiste-conservateur, sommes opposés à ces mesures fiscales, ainsi qu'au projet de loi 22; et non seulement à ce projet de loi, mais à tous les projets de loi qui prennent de telles mesures, parce que nous sommes opposés au budget que le trésorier de l'Ontario (L'hon. M. R. F. Nixon) a déposé il y a quelques semaines.

Le fait que le gouvernement a décidé d'augmenter encore cette année les impôts d'un montant de 1,3 milliards de dollars nous attriste. Ce sont nous, les travailleurs de l'Ontario, qui devons payer tous ces impôts que le gouvernement libéral a décidé d'introduire. Ce n'est pas nécessaire; ce n'est pas juste; et cela crée beaucoup de problèmes économiques pour les contribuables de la province.

As Revenue critic and Treasury critic, I am pleased with the support of my friend the member for Markham, who has raised a very important issue that we want the minister to answer in his reply. The members of my caucus have some comments to make as well. The member for Wellington (Mr J. M. Johnson) will have some comments to make on this bill, to indicate our opposition to this Bill 22, these changes to the Retail Sales Tax Act.

That opposition is not based on any disrespect for the Minister of Revenue, who is the unhappy messenger of the Treasurer, as is his annual lot in life, but as a token of our opposition to this budget that has been foisted upon the Legislature and the people of Ontario, for which we and our constituents must pay.

Mr Cousens: And pay and pay and pay.

Mr Pope: And pay and pay and pay, as the member for Markham quite rightly added.

These are interesting days in the Legislature of Ontario, with allegations of misconduct, of misuse of charitable funds, of favours bought and paid for, of involvement of special interests in the various ministries of government, and we see the response of the Premier (Mr Peterson), who I think has to be responsible for all of this. There is nothing short of a judicial shell game going on with investigations by the Ontario Provincial Police, investigations by the Conflict of Interest Commissioner, investigations by the Commission on Election Finances, and now an inquiry of sorts announced at the end of last week.

These are interesting days in which the Premier has abdicated his leadership role and responsibility for managing the ethical standards of the members of his cabinet. The fact that the Premier has exercised no leadership and no judgement in these matters has brought disrespect upon this government and upon this Legislature. It goes back to 1986, when the Premier indicated that he saw no role for himself in applying the Davis guidelines for ethical conduct by his ministers or judging the conflict-of-interest, apparent and real, standards of his ministers.

While this has taken the attention of this Legislature and prompted a reaction from the public of Ontario, very important economic and financial matters that affect the daily lives of Ontarians are proceeding apace. We have had a budget from this government that I think smacks of financial and economic irresponsibility.

For the second year in a row, we have tax increases whose full-year impact will be \$1.3 billion. For the second year in a row, we have substantial increases in the rate of government expenditures. For the second year in a row, we have examples—not the Minister of Revenue—of waste, of unbelievable and staggering increases in administrative costs, with no evidence of discipline, no evidence of regret, no evidence of reform in these out-of-control administrative costs and no answer to any member of this Legislature when these issues are raised.

It is the taxpayers who are expected to pay for this Liberal largess with the revenue measures that have been introduced by this Minister of Revenue to implement what someone else has announced on behalf of the government. Not only do tax increases affect people in their daily lives, not only do they affect the ability of working men and women and families and communities in this province to plan for their future, but they impact on the entire economy of the province.

1550

First, it is now clear in recent documentation issued by the Fraser Institute that this province has a dismal record in terms of taxation of the average family. It has a dismal record in terms of what we call tax freedom day.

The Fraser Institute in British Columbia issued a recent document, a press release dated 19 June 1989, which indicated that in Ontario, tax freedom day in 1989 falls on 7 July. That means working men and women will work this year until the end of next week to pay for the taxes that governments are imposing upon them.

Until the end of next week, every single dollar and every single penny that a miner or bush worker or factory worker or farmer makes is going to go to the governments of this province. It is only after the end of next week, from 7 July on, that people will start to earn, in 1989, for themselves and their families, to meet their own needs.

This tax freedom day in Ontario, I say to the Minister of Revenue, is the latest of any province of Canada. In fact, according to the Fraser Institute, I say to the parliamentary assistant—

Mr Faubert: I heard this debate.

Mr Pope: Good, because you are going to hear it again and again until this government takes seriously the tax plight of the working men and women of this province, because the average Ontario family is going to pay a total of \$25,913 in taxes to all levels of government in 1989.

Ce n'est pas seulement 25 pour cent, 30 pour cent ou 40 pour cent dont il s'agit; mais, en réalité, chaque famille en Ontario doit payer 51 pour cent de son revenu total à tous les paliers de gouvernement.

Imagine, we are now going to pay 51.3 per cent of our total family income in taxes this year in Ontario. That is why 7 July is tax freedom day. According to the Fraser Institute, which analyses provincial and federal budgets and their impact on average families, the average Ontario family's total tax bill is greater than that paid by a family in any other province of this country.

The Treasurer's counterargument is that if you remove the payments that are now being made and will no longer be made if this budget is implemented with respect to health care, Ontario is not the highest. It becomes the third highest, I think the argument is.

Hon Mr Grandmaitre: Fourth.

Mr Pope: I think third, but we will argue that later, minister.

The fact of the matter is that Ontarians are going to pay one way or the other for that decision by the government of Ontario. They are going to pay it in terms of benefits, which will mean forgone wage increases, or they are going to pay it in the price of goods and services provided by the companies which are on the payroll tax. That is why the small business community has indicated that the payroll tax for health care purposes is a tax against employment. The people of this province are either going to pay it in the cost of goods and services, or they are going to pay it in forgone fringe benefits of another nature or wage increases, or they are going to pay it in the loss of jobs and employment opportunities. That is the history of the payroll tax measure, I say to the Minister of Revenue, where it has been tried in other jurisdictions. That is why other jurisdictions have been looking at ways to abandon it.

I do not think anyone can indicate to me the fairness of a mining company paying a payroll tax with respect to health care for every single one of its workers, while at the same time a professional who is self-employed and not on a payroll will pay nothing for those same health care benefits. I do not see the fairness in that, I do

not see the equality in that and I do not think the government can explain the reasons those decisions have been made.

I was talking about tax freedom day, the Fraser Institute, and the fact that the Fraser Institute feels the average Ontario family is paying a higher tax than any other family in any other province. I say to the Minister of Revenue, who may disagree with the Fraser Institute, as he was taking notes, that the comparative tax position of Ontario to other jurisdictions has been the subject of comment in the Quebec budget and the Saskatchewan budget this year. Both documents are proud to parade the fact that their tax position comparative to Ontario's is improving while Ontario's is getting worse. They point to that as an indicator of economic opportunity in those jurisdictions and as a lack of economic opportunity in Ontario.

That is the message these other competing jurisdictions are putting out there. That is what they are saying to prospective investors, to companies that may want to choose which jurisdiction they are going to locate a new plant or an expansion in. They are making the argument that this tax jurisdiction in Ontario is a disincentive for economic growth; a disincentive for capital investment; a disincentive for employment of new workers. The tax regime this Liberal government has brought in is being used as the excuse to lure other jobs and other industries to their provinces.

In 1985, tax freedom day was June 21. In 1984, it was June 18. We have seen that for every single year this Liberal government has been in office, tax freedom day has moved farther and farther into the summer months.

In Quebec, in fact, tax freedom day is coming earlier this year. In 1984, it was on July 6. In 1987, it moved to June 28. This year it is June 27.

The table produced by the Fraser Institute is a stinging indictment of this Liberal government's attitude towards its taxpayers. While we have over 5,000 additional civil servants hired since this government came to power, while we have seen administrative expenses skyrocketing right here in Queen's Park and in Toronto, at the same time we have seen a diminution of basic services offered to the people of Ontario.

The tax grab of this government continues to rise. While we see reductions in Ontario Provincial Police services, greater numbers of students in portables than ever before in our history, greater lineups for essential health care services in our hospitals than ever before, less reforestation than at any time in the last six years, while

we have seen all of these deteriorations in the basic services our government of Ontario is responsible for, the only thing that has increased is not the level of service but the tax bill.

It is not fair to our working people. It is a disincentive to work. It is a disincentive to capital investment. It is a disincentive to economic activity, and it is not a proposition that we are prepared to support as an opposition party.

For that reason, of course, we are going to oppose Bill 22. I want to deal with Bill 22. I want to deal with Bill 22 and its implications for the tire industry and for our sinful habit of driving in this province. I say "sinful" because the Liberals have obviously decided it is a sinful habit, even if one needs to drive to get to work, even if one has to drive great distances in northern or eastern Ontario to go from community to community. We see a whole plethora of tax initiatives designed to discourage drivers in Ontario.

First, I want to remind the viewers and the people of Ontario exactly what these tax measures are: effective 1 June, a new tax of \$5 on every new tire, whether or not included in the purchase of a vehicle; the imposition, effective 1 July 1989, of a gas-guzzler tax to range between \$600 for cars that consume 9.5 litres of fuel per 100 kilometres to \$3,500 for cars that consume more than 18 litres of fuel per 100 kilometres.

1600

In this case and in the case of the tire tax, the new level is added to the selling price for the purpose of calculating the sales tax liability. In other words, not content to rip us off with additional tax revenues, this government is going to make sure we pay tax on the tax. It is a rather innovative Liberal psychology. If you got used to paying taxes, how do you like paying taxes on taxes?

The Minister of the Environment (Mr Bradley), in his friendly way, in discussing these measures over the last few weeks in the Legislature, indicated that if you did not support tax increases in this province, you were against the environment. I want to say to the Minister of the Environment, as he is here, that we are going to be moving an amendment to this bill and we expect him to support it. It says, "All taxes collected pursuant to subsection 1 shall be paid into a special recycling fund to be established in the Ministry of the Environment for use in supporting and financing recycling programs." I say we are going to introduce this amendment, because I want to put the government to the test.

In the budget, they indicated quite clearly that the only reason for these increased tax measures

was a concern for the environment. We all know it was a revenue grab, but they like to say otherwise. We all know they are greedy and want to spend it on their own administrations. They want to hire more staff in their ministerial offices. Some ministers have 30 per cent and 40 per cent increases in their administrative budgets, unbelievably, again this year. Some ministers have still not had the discipline to contain these kinds of administrative expenditure increases.

We want to put the government to the test. We think it is a revenue grab. We think it is just money for the sake of money so they can feed their own bloated bureaucracy here in Queen's Park. If they are truly concerned about the environment, let them do what the Treasury officials denied they were going to do in the lockup. When we asked them, if this is truly, as the budget says, for reasons of the environment, to enhance environmental measures this government is going to put in place or has put in place, to put it into dedicated funding.

The Minister of the Environment and the Treasurer, in spite of what the budget said, in spite of the inferences in the budget that it was for environmental purposes, know full well, as does the Minister of Revenue, that those dollars are not going to a special fund for the Minister of the Environment. They are not being directly allocated to the Minister of the Environment. In fact, they are going into the consolidated revenue fund for the entire government.

Whatever the priorities of this government in its allocation process may be, and it can make the argument that its priority is the environment if it wants, let the people of Ontario not be fooled by the rhetoric. These revenue measures have nothing to do with specific funding for specific environmental programs, nothing whatsoever. It is a greedy, bloated government that is grabbing more money out of our pockets, and that is all it is.

I talked about the tire tax. I talked about the gas-guzzler tax. I think it is important for the people of this province to know that the bill we are now dealing with today and that we are being asked to approve in principle—of course, the opposition parties will not support this bill in principle—has a revenue impact in the year 1989-90 of \$48 million and a full-year impact of \$64 million.

For the benefit of the parliamentary assistant, in those numbers I include the retail sales tax increases and the alcoholic beverages. That is

how I arrived at that number, just so there can be some comparison of our estimates.

I want to make clear that for the second year in a row this government has gone to the sales tax base for new revenues. Last year, please remember, I say to the people of Ontario, this government was the one that increased the sales tax rate from seven to eight per cent and expanded the sales tax base. The government already nailed the people of Ontario last year with a one per cent increase and an expanded base and it is going to nail them again this year, because it does not think they are paying enough. Over half of people's income is going to governments now, but they do not think it is enough. They are going to nail people again. That is the legacy of free-wheeling, free-spending Liberal government in this province.

I should say, when we talk about whether these tax measures are for environmental purposes, that the same arguments were used by the government last year in justifying the special high tax on leaded gasoline. I have to repeat, and we were informed by Treasury officials in the lockup on budget day, that there is no dedicated fund which those dollars went into last year and none for this year's revenues.

This bill changes the retail sales tax, the single largest sales tax impact in the budget and one which will impact most directly on the largest number of consumers. It has also attracted the most organized opposition. The province's tire dealers—and they are a significant group of small businessmen in every community across this province—have expressed a number of concerns about the tax, which were outlined in a letter to the Treasurer by Paul Hyatt, president of Superior Tire Co in Toronto and past president of the Ontario Tire Dealers' Association and president of the Canadian Tire Dealers' Association.

Their arguments have been this: While they realize that the problem of waste tires is a serious one, they have in fact discussed with this government on a number of occasions possible solutions. They have serious doubts about the purpose of this tax, whether or not it is environmental. They feel that the tax will adversely affect government revenues and the public in two ways.

First, it will cause a loss of business to tire dealers in border areas and the government will in turn lose tax revenues as a result of those lost sales.

Second, the tax will lead drivers to keep their tires longer, wearing them to the point that

performance and safety are diminished. That is a concern that has been shared with other organizations in this province and in this country.

The new tax is going to be imposed on top of the disposal fee which dealers are already charged on the sale of tires. Because scrap tires are not accepted at government-controlled dumps, the dealers have to use private disposal companies. To cover their costs, many dealers charge a disposal fee of about \$1.50 on a passenger car tire and \$7.50 on a truck tire. If the government goes ahead with the tax, the dealers would like to see their tax remittance adjusted to deduct their disposal costs.

If we were really concerned about the environment, the Minister of Revenue would have already taken note of these concerns and already amended this legislation in order for that to be accomplished. I want to point out to the Minister of Revenue that, as far as we can find out, no other Canadian province imposes a tire tax. It has been looked at by a number of other American states and only the state of Maryland currently has one in place, at the rate of 50 cents a tire. That is the information we have been able to find out.

Mr Faubert: Did you check Florida?

Mr Pope: As a matter of fact, we did.

We think this government has set itself up uniquely to impose this tax, and its consequences on the people of Ontario, on the tire dealers and on the car industry generally is going to be unique, adverse and negative to the people of Ontario. We think the government should have heeded its own Ontario Road Safety Annual Report of 1987 about the number of accidents, fatalities and injuries caused by tire failures.

The effect of this tax on the increased incidence of traffic accidents in this province caused by tire failures, the number of increased fatalities and injuries that could result from the effects of this tax, I am positive, is equally as important as the trumped-up environmental concerns of the Minister of the Environment vis-à-vis this budget, and more important, in additional revenues for Ontario, but it has been the last matter to be considered by this government in the imposition of this tax.

1610

We have many other questions and comments to make with respect to this bill. I indicated to the Minister of Revenue that I would try to be brief. I have tried to be brief. Other members of my caucus, who have some specific concerns and questions they have very forthrightly put forward in this House and directly to the Minister of Revenue, now expect some answers to the

comments they are about to make. We hope we would proceed now with fuller consideration of this matter and better answers from this government than we have been given in the past.

Mr J. M. Johnson: I would like, first, to go on record as totally supporting the comments made by my good friend and colleague the member for Cochrane South (Mr Pope).

The Progressive Conservative Party is totally opposed to this type of tax madness that has been initiated by this government that lusts for dollars. It is a sad commentary on our times that the average family has to spend half the year working for the governments of this province: the municipal, provincial and federal governments. Over half their working year is spent paying taxes and it is most discouraging to the people in this province to be one of the top taxpayers in this great country.

I would like to deal directly with Bill 22 and specifically the new tax on tires, and hope the parliamentary assistant will convey my message to the minister.

Hon Mr Grandmaître: I will be back.

Mr J. M. Johnson: He says he will be back. To the parliamentary assistant, through the Speaker, I would like to just reiterate a couple of comments made by my colleague the member for Cochrane South and to highlight the very serious concern I have about the sin tax on driving cars; trucks as well, but I want to be specific on cars.

In rural Ontario, we do not have the luxury of having much GO Transit. We have very few bus lines and hardly any train service. So the people living in rural Ontario, certainly in Wellington, my riding, depend very much on cars and small trucks. They depend on the cars to come into the communities if they live in the country. Seniors depend on the cars to travel to their nearby small cities for hospitals and necessary services. The students depend on cars to travel to the schools and universities that are not in all our small communities. It is extremely burdensome in the extra costs they have to pick up to satisfy this government's need for money.

I would like to just emphasize the concern pertaining to the tax on tires. While it may seem very small, it is an extremely serious problem, especially in rural Ontario. There has been mention made by several of the speakers before about the safety factor. I cannot emphasize this too strongly because I feel it is a very serious problem.

Someone who can afford a new car is not going to get too excited about an extra \$25 for the car; that is all it basically is, just an extra tax on the

car. But on replacement tires there is a problem. Many people hesitate to pay the price of a tire now. We are certainly not encouraging them by adding an extra \$5.

If the parliamentary assistant is interested, I would like to use an average-priced tire of \$100. Add the tax of \$5 on top of the \$100, so the tire becomes \$105, and then levy an eight per cent tax on top of that, so the tire is now \$113.40. For his information, that comes out to 13.4 per cent tax. That is tax on tax and it is certainly not acceptable, not by this party. If they want their tax money, they should levy it up front, but surely they are not that greedy that they have to tax on tax.

I might just mention that another concern for the safety factor has been that people will drive with unsafe tires. Certainly in rural Ontario they need snow tires. Many people will hesitate to put out the extra money to buy a set of snow tires that will very likely avoid having an accident in winter driving. There is no way this government can absolve itself of the responsibility of creating some accidents and the only question will be the number. The hospital bills we will have relating to those accidents will likely more than offset any of the money the government would pick up through this tax.

In the strongest possible language, on behalf of the people in rural Ontario and the people from the north who have to use their cars, their only means of transportation, I would ask the government to pause and give consideration to dropping the tax on tires, if nothing else.

Mr Villeneuve: I too am very concerned about Bill 22, particularly the implications of the \$5-per-tire tax on tires. I come from a riding where effectively what we will see is all of our tire retailers go out of business. We are within a stone's throw of New York state, with two international bridges going south, and we are also within that same stone's throw of Quebec. Neither of these jurisdictions has a similar type of tax on tires.

I have had a lot of representations, particularly from retailers in the tire business, expressing their grave concern. As you know, Mr Speaker, it is pretty easy to cross that international bridge and come back the same day, a day later or whenever with four brand-new tires on your car and no one would ever know it; similarly, to Quebec.

These are situations I brought to the Treasurer. There are concerns the retail furniture and appliance businesses had expressed to me; a very similar situation. Many of the large kitchen

appliances and indeed the furniture that is in our homes is retailed in Quebec without the sales tax. However, here in Ontario, we have that eight per cent sales tax tacked on to everything, including those large-ticket items.

What we have is that Ontario retailers become the showplaces. People go and decide what they want, but do members know where they buy them? They go right across the border into Quebec, buy their furniture there and come back to Ontario. "Thank you very much, Mr Ontario retailer, you've got us decided on exactly what we want to buy, except we're not buying from you." Why? Because of the eight per cent sales tax that applies here in Ontario and does not apply in Quebec.

Again, for the tire retailers in those border areas, I say the government has effectively put them out of business and I am sure they will not forget what the government of Ontario has done in its most recent budget to that particular sector of the economy.

1620

Mr South: I would like to rise in support of this bill. I think the main statement that can be made in its support is that it imposes upon all of us what is known as environmentally accountable economics. It is about time that all of us, including manufacturers, started to pay the full cost of the products we are either manufacturing or selling, and the full cost of a product is not just in the personal consumption and use of that product, but the full cost of that product includes its ultimate disposal.

I go past the Department of National Defence camp at Barriefield every day and there is a great big pile of used tires. Nobody knows what to do with them. I think this will help. It is a little thing. Some have said it is chintzy and irresponsible, but as I say, I think it will start to drive home to people that if we are going to use these things for our convenience, we have to start to pay for the ultimate cost of their disposal. Therefore, I think it is a very good tax. I think it is the kind of tax that should be put on more goods.

The Acting Speaker (Mr M. C. Ray): Comments or questions?

Mr Pope: Yes. I just want to ask one question of the member for Frontenac-Addington. Will he therefore, in light of his words, support our amendment to this legislation, which says that all amounts collected for this tax shall be designated by the Ministry of the Environment to be used to fund programs to support recycling and environmentally sound disposal of used tires?

The Acting Speaker: Would the member for Frontenac-Addington care to respond?

Mr South: I have no trouble supporting it, but I will say it is not the basic philosophy of the Treasurer. I have heard him express his view on this quite strongly. It all goes into the consolidated revenue fund and we will just see that it is earmarked.

The Acting Speaker: No other speakers? Does the Minister of Revenue care to conclude the debate?

Hon Mr Grandmaitre: First, I would like to address the remarks of my honourable friend the member for Beaches-Woodbine. I think the honourable member went through the budget instead of going through Bill 22. She talked about food banks in Toronto, the cost of homes, the land transfer tax, the commercial—

Mr D. S. Cooke: Is this not going into general revenue?

Hon Mr Grandmaitre: No, this is Bill 22.

I just want to remind the honourable member that Bill 22 is imposing a tax on tires and also on more expensive, elaborate cars, the gas guzzlers. I would like to remind her that very few—I do not know of any—senior citizens are buying \$50,000 or \$60,000 cars. If they do, they can afford them; I am sure of that. If they can afford to buy a \$40,000, \$50,000 or \$60,000 car, surely to God they can afford four or five tires and they can afford to pay the tax.

On the other hand, my friend the member for Cochrane South says we have not taken into consideration the long distances northern Ontarians have to drive to and from work. I would like to remind him that people in northern Ontario get other tax breaks that eastern or southern Ontarians do not get, so it is a compensation.

As my honourable friend the member for Frontenac-Addington pointed out, it is the responsibility of the tire manufacturers, that these manufacturers are responsible for the end product, let's call it, the used tire. We have to find a more adequate way of disposing of these tires, especially in northern Ontario where you drive on a lot of rural roads and find used tires alongside the roads.

What we will do with this extra \$5 is provide my friend the Minister of the Environment with more adequate funding for environmental programs. That is the intention of this extra tax. I am sure the Minister of the Environment will gladly accept this extra \$5 and provide us with better programs.

My honourable friend the member for Beaches-Woodbine talked about a tax on fertilizers. I just want to remind the honourable member that 98 per cent of all these farmer products are being used by farmers and they are tax exempt. We did think about the Ministry of Agriculture and Food and the farmers of Ontario. They are tax exempt.

Mr Villeneuve: And farmers in Vanier.

Hon Mr Grandmaître: Yes. Even in Vanier these farmers are tax exempt. Maybe they should have a better tax break in Vanier than in Glengarry, but maybe we will talk about this at our next budget.

The member for Beaches-Woodbine talked about a land speculation tax and about a greater Toronto area tax, the concentration land sales tax or tax. I am sure those taxes will be addressed in another budget and I will be very pleased to address those matters at the time.

Also my friend the member for Markham raised a very interesting question about car rentals. I want to remind the member that we are negotiating with the Associated Canadian Car Rental Operators whereby we will devise a formula that could be prorated, but I must remind the member that if the first renter of a new car rents that car for more than seven days, he will have to pay the full tax, but if he rents the car for two days, three days, four days and so on, that tax will have to be paid within the first six months of the life of that car. A formula will be devised and everybody will pay his fair share of the tax.

Mr D. S. Cooke: It sounds easy to understand.

Hon Mr Grandmaître: It is very easy. All you have to do is figure it out. I am sure we will provide the member with the information and I am sure that our bulletins will enlighten him.

To my friend the member for Cochrane South, who seems to think that we are neglecting northern Ontario, again I want to remind him that I think the Treasurer's budget is a very reasonable one. The member might complain about the increases in taxes, but after all, we had a lot of catching up to do. We had to build new schools. We had to build new roads. We had to provide better environmental programs. That is exactly what the Treasurer and the government of Ontario are doing. We had a lot of catching up to do and we will provide better services over the long run.

I think Bill 22 is a very reasonable bill. I can assure the honourable members that every tax dollar from this budget will be spent wisely and invested in Ontarians.

The Acting Speaker: That concludes the debate and I will therefore put the question. The Minister of Revenue has moved second reading of Bill 22, An Act to amend the Retail Sales Tax Act. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Five members having risen, this will require a division.

Vote stacked.

Hon Mr Conway: I should just indicate that by agreement of the House leaders and whips, it has been decided that any divisions relating to the second reading of the revenue bills now before us and any committee work arising therefrom will be stacked at the end of the second reading of the various revenue bills now before us. We will take any divisions arising out of the second reading debates and then, by agreement, move into committee of the whole House and take any divisions that are required at that time.

1630

My friend the member for Hamilton Mountain (Mr Charlton) has reminded me that there was to have been a division on Bill 19, so I am going to be asking that before we move into committee of the whole House we get consent to reopen second reading of Bill 19 so we can provide for a division. That was an agreement and we simply were not able to remember it earlier this afternoon.

Mr D. S. Cooke: Why don't we just do that right now?

The Acting Speaker: Very well. Could we do that now? May I therefore ask whether there is consent to reopen Bill 19 so that we may determine a division to be necessary?

Agreed to.

POWER CORPORATION AMENDMENT ACT, 1989

The Acting Speaker (Mr M. C. Ray): There is a division agreed to on Bill 19 and it will be stacked with the other divisions on the revenue bills.

Vote stacked.

LAND TRANSFER TAX AMENDMENT ACT, 1989

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Hon Mr Grandmaître moved second reading of Bill 23, An Act to amend the Land Transfer Tax Act.

Hon Mr Grandmaître: Bill 23, An Act to amend the Land Transfer Tax Act, implements the budget policy of the government as announced by the Treasurer (Mr R. F. Nixon) in his budget address to this House on 17 May of this year. Bill 23 received first reading on 17 May of this year.

The bill has two main purposes. The first purpose is to implement the selective tax increases laid out in appendix A of the budget book. The second is to implement the refund provisions whereby most holders of an Ontario home ownership savings plan can benefit from a full or partial refund of land transfer tax paid on their first home purchase in Ontario.

There are two classes of property where the rate of tax is increased by 0.5 per cent. The rate of tax of 1.5 per cent on the value in excess of \$250,000, which used to apply just to single-family residences, is proposed to be extended to all properties. For these properties this is an increase of 0.5 per cent on the amount in excess of \$250,000. A new rate of tax of two per cent is proposed to apply to single-family residences on the amount in excess of \$400,000. For these properties, this is a tax increase of 0.5 per cent on only the value in excess of \$400,000.

These tax increases are selective and apply only to the more valuable properties in the province. The low rates of tax which apply to properties under \$250,000 have not been increased. The first \$55,000 of value is still taxed at the rate of 0.5 per cent and the amount between \$55,000 and \$250,000 continues to be taxed at a rate of one per cent.

The second main purpose of this bill is to implement a new tax benefit which will allow persons who are holding an Ontario home ownership savings plan, or OHOSP, to claim a full or partial refund on land transfer tax paid when they purchase their first home in Ontario.

En second lieu, ce projet de loi vise l'application d'un nouvel avantage fiscal, qui permettra aux personnes qui adhèrent au Régime d'épargne-logement de l'Ontario, au RELO, de demander un remboursement intégral ou partiel des droits de cession immobilière acquittés lorsqu'elles ont acheté leur premier logement en Ontario.

This is expected to be a significant benefit to our young people in setting up their first home, and it is also expected to increase the attractiveness of the Ontario home ownership savings plan program. In fact, we are already experiencing an increase in the number of OHOSPs being opened.

The rules governing the new refund are described more fully in budget appendix A and in the legislation itself, so I will not go into details now. However, the maximum refund will be \$1,225, and it is expected that at least 10,000 home owners will benefit annually. The full amount of the land transfer tax will be refunded on a house up to \$150,000 in value, and a partial amount based on a sliding scale will be refunded on a house up to \$200,000. No refunds will be paid on a house over \$200,000 in value.

Ms Bryden: This tax is the second one of the four that we have before the House today and I think we should recognize that it is another one of the four regressive taxes. That is all that we have before us today.

This increase in the land transfer tax will not do what the minister hopes it will do; that is, stop the housing speculation. It will not stop people in Toronto and in many areas being priced out of the housing market. In fact, the rebate system that is offered for first-time home buyers who are under OHOSP will be applicable to practically nobody in the city of Toronto or the major cities of Ottawa, Hamilton, Brampton and other major urban centres. It is strictly a fraud that is contained in this bill to say that people who qualify under the OHOSP program will get a rebate of tax. It is a highly discriminatory way of treating new home buyers. The government prices most of them out of eligibility for the rebate, and then it says it is helping people to acquire their first home.

I do not see why any tax rebate that is provided to compensate people for a tax that is not a socially good one should be allowed only in certain cities or certain nonurban areas or smaller urban areas. This is discriminatory taxation. The rebate should be available to any first-time home buyer. By putting the ceilings on, as the act does, the benefit is really wiped out for almost everybody in the city of Toronto and other major urban centres. That is my first quarrel with the bill, that it is discriminatory and of no help to the housing crisis.

What would have been far more effective would have been for the minister to spend the same amount of money as he is giving in the rebate on new nonprofit housing and to bring in an effective property speculation tax which would stop the turning over of property which is now going on in many major urban centres. That turning over is what is causing the new home buyers to be priced out of the market and therefore not to be eligible for the rebate that the minister is providing.

We really are opposing this bill because we think it is the wrong medicine for the current housing crisis, the current shortage of affordable housing.

1640

The other part of the bill, which is to put a new two per cent tax rate on the value of residential property, replacing the 1.5 per cent that is now on residential property, is adding a slight progressivity to the land transfer tax because the new two per cent will apply to property exceeding \$400,000. However, the way prices are going, there will be a lot of middle-income people also paying that higher rate, so it is a tax that will affect middle-income people if they have to pay more than \$400,000 for housing.

There is another very significant change in the act, and that is that the land transfer tax is being extended to all commercial property as well as residential property and these rates will be effective for transactions registered after 31 May 1989. Together, they will raise an additional \$40 million annually.

We know that extending this to commercial property sales will mean that it will be likely passed on to the consumer. Not only will ordinary people be paying higher prices for things that are produced or sold in the commercial world, but in most major cities they will also not qualify for the rebate of this tax.

A lot of people have said that instead of monkeying with the land transfer tax in order to raise \$40 million, the province should have put in a land speculation tax, which could raise hundreds of millions, until such time as the turning over comes to a stop. When that happens, then the price of affordable housing will be stabilized.

We are opposing this bill on those grounds. We think the bill should be withdrawn and replaced with a proper land speculation tax. I would like to recommend that the minister consider that and stop considering that he is helping people when he limits his rebates to people under the Ontario home ownership savings plan.

I think when that plan came up in the House a year ago, we said that it was very ineffective and would really not do what the objective is—that is, to encourage new home buyers to get into saving for their down payments—because it is so limited by its ceilings and it will really not provide enough for a proper down payment, so that most people who do participate in it will not ultimately collect from it. It is simply a means of their setting aside so much money every month that

they may need for other purposes and then finding that they cannot buy a house anyway. All they will do is get their money back, with some interest, but they will not achieve their dream of owning their own home.

It is time the minister started looking at proper incentives for home ownership as well as proper incentives for the utilization of land on a more sensible basis. This tax may hit people who build million-dollar houses on very large lots, but it still does not really provide a curb on the use of very large lots or the waste of resources going into these very large homes when we have such a housing crisis in this province and so many people are not even able to find any accommodation other than a hostel. It is an indictment of the housing policy of this province to go ahead with a picayune amendment to the land transfer tax and say that is all that needs to be done with regard to the taxation of land transfers.

Mr Jackson: I am pleased to be able to participate in this debate. At the outset, let me just say that this punitive tax, the raising of the land transfer tax, is something I raised an objection to both in this House and outside of this House when it first became apparent that this government was looking at yet another gouge at the whole issue of affordability and the fact that it continued to look upon the land transfer tax as an attractive and lucrative revenue producer for this government. They do not understand its implications to home buyers around this province.

Quite simply, this tax is essentially a sales tax on houses. We call it the land transfer tax because of its original intent. We realize that when land transfer taxes were brought into this province in 1921, they were brought in with the justification that this tax revenue was needed in order to implement a type of land registry system for this province, in recognition of the need to operate land registry offices and the conveyances of property to have proper deeds filed. That fee was modest and it was affordable and those moneys were in effect dedicated to that end.

However, we have seen this government in four short years increase this land transfer tax twice. We have seen a 300 per cent increase in revenue, yet we have not seen the resultant increase in services as they relate to the conveyance in transfer of real property in Ontario.

I know the Minister of Revenue is present in the House today to hear this bill but I am saddened that the Minister of Housing (Ms Hošek) is not here, because the Minister of Housing should be present to understand the

implications of this bill on affordability. Quite frankly, the Minister of Housing to date has been unable to give us a definition of "affordability." It strikes me that a government that does not understand what affordability means can in no way plan for home owners in this province to ensure that affordability is protected. It strikes me that until this government comes up with at least a basic understanding of the tenets of affordability, it cannot strike policies or develop policies or develop long-range plans to ensure that affordability is protected.

This budget violates the principles of affordability on several fronts, as does not only this bill but the bill to follow, with respect to the lot levies and the additional charges that will not be borne by developers or builders but passed on to home owners and added to their mortgage, which means they will end up spending for 20 or 25 years, the life of that mortgage, for the increase this government is about to put on it. I will reserve my comments on that bill when it comes up, if it comes up at all this afternoon.

Going back to the land transfer tax, this is now the eighth-largest and most lucrative source of revenue for this government. It has moved like a skyrocket through the Minister of Revenue's available options to exact more and more tax dollars.

There is another minister we would hope would be able to participate in the debate, and that is the Minister of Consumer and Commercial Relations (Mr Wrye). He has an interest in the issue of conveyance of real property. We have a serious problem in this province with respect to registering condominiums. I have several developments in my riding and I know several government members have cases in their ridings where people have bought condominiums and they have waited a year and a half, two years for those condominiums to be properly registered.

1650

Nowhere is the government saying that we could take some of this money, this \$500 million it is already collecting, and hire some additional staff on a contract basis while we have this tremendous backlog. That would be good planning. Perhaps that is why nobody listens to the Minister of Consumer and Commercial Relations in cabinet when good ideas like that are presented.

But we do have the Minister of Revenue saying, "Regardless of what your feelings are and regardless of the importance of streamlining the conveyance of real property in this province, it's important that we have that tremendous

increase in revenue to give over to the Treasurer to put into general revenues."

The concept of dedicating revenues is being violated yet again by this government. We have seen it on the gas tax, we are seeing it with the land transfer tax and we are going to see it to a lesser degree with the other bill that affects housing, the lot levy bill.

What is also interesting is that there are only six provinces in Canada that even charge a land transfer tax. Half the provinces in this country do not even charge this type of tax, yet Ontarians are being asked not only to pay the tax but to pay the most excessive tax in this country. My office called the treasurers of each one of the provinces to get this information, so it is only about four months old.

We found out that Ontario will collect a whopping \$560 million from this tax. That was the figure that the minister's staff gave me. In Manitoba, they will collect \$12 million; in British Columbia, they will collect \$240 million, and in New Brunswick, they will collect \$2 million. There are two provinces where the province sets the provincial rate for the land transfer tax but allows the municipalities to collect the land transfer tax. Those are Nova Scotia and Quebec, and they did not have accurate figures to share with us. Hopefully, at some point I will be able to get those, but it is interesting to note that only four provinces have a direct land transfer tax which they collect.

This piece of legislation did not happen by accident; it happened by design. The Treasurer is always in the habit of floating trial balloons to gauge some public reaction. Last year, he did it with his budget by suggesting that he might increase the sales tax by one per cent. This year, he floated two trial balloons. He floated the trial balloon of the payroll tax several weeks before the budget. But it was back, I believe, on February—I will get the actual date. The Treasurer made a statement to a Toronto Star reporter when talking about rising prices for housing. I think it was 17 February that he made a statement. He suggested that he would consider cooling off the hot housing market by introducing an increase to the land transfer tax.

I took that as clear and fair warning that the government was seriously looking at increasing this tax, so when the standing committee on finance and economic affairs, an all-party committee, sat to look at prebudget consultation, we were very concerned about this land transfer tax increase trial balloon that the Treasurer had floated.

Fortunately, the Mississauga Real Estate Board, under the presidency of Fred Sheringa, took seriously the Treasurer's warnings. They prepared an excellent brief to that committee. They were the only group to present a brief directly to the committee.

In it, they suggested that any increase in the land transfer tax at this time would have a critical implication to home affordability, because as members well know, the closing costs are very expensive when buying an average home of \$300,000 to \$400,000 in the Toronto area.

In communities like my own, in Burlington, the average sale price is around \$240,000. So closing costs are extremely expensive, and the greater the amount of closing costs the less you are able to have for your down payment, which means the more you have to put on your mortgage.

So when the Minister of Revenue increases the land transfer tax as he has done, say, on a house that is worth \$400,000, which is not uncommon in the Toronto area, that extra \$700 or \$800 his tax increase will cost that individual in cash is money that he cannot now put to reduce his mortgage. It is not the \$800 increase in this tax; it is that it will turn into \$1,400, \$1,800 or \$2,000 by the time he finishes paying all the interest on it.

That gets back to my point about this government not understanding the implications of its taxing. This taxation policy, albeit highly discriminatory, actually violates affordability. I, for one, and my party cannot accept that approach. That is why when we reported to the Treasurer as members of the standing committee on finance and economic affairs we in fact tabled a minority report specifically setting out how bad a tax increase of this nature would be and what an adverse effect it would have on housing affordability.

To be fair, the minority report suggested other revenue producers which this government should look at more seriously. But we all know that it was quite easy to adjust the rate, to increase it. There would be little anger, little outcry. This time it was a little different.

Thanks to the leadership of the Mississauga Real Estate Board and others, a campaign was undertaken around this province to help educate people so that they better understand the implications of this tax increase. The name of that campaign was titled with advertisements like this which appeared in most of the weekly papers in Ontario. I am sure the minister saw these ads; they are excellent ads.

It reads, "David Peterson, don't even think of raising taxes again," and goes on to explain to the citizens of this province that the Treasurer was contemplating this tax increase, that it would be the second time in four years the government has raised the tax, that revenues had increased by over 300 per cent and that the government saw this as a great opportunity to increase its coffers and punish people because they have equity in their homes.

Hon Mr Conway: Cam, you're speaking like a real estate broker.

Mr Jackson: I am sure the government House leader, as he exits, wishes he were a home owner.

Hon Mr Conway: I am. I have, and a cottage to boot.

Mr Jackson: He is a home owner. Then he should hang his head in shame.

The Deputy Speaker: Order, please.

Mr Jackson: Thank you, Mr Speaker.

Where was I? Did I show the Minister of Revenue the poster? Did he get a good look at the poster?

Mr Faubert: Nice design, bad logic.

Ms Collins: Is that the one that says, "Garth Turner, you've gone too far"?

Mr Jackson: Do not encourage me.

The second concern that we have with respect to what has happened with this bill is that the government had no intentions of ever listening. That is a disturbing aspect of two points. One is the fact that an all-party committee of this House was struck in order to give advice to the Treasurer. Well-intended groups came forward to suggest the negative and/or the positive impact of certain tax-revenue-producing measures. The government insisted on one point: that it was only a trial balloon, that nothing had been etched in stone, that no decision had been made.

Yet when I was a member of that committee, I put forward a motion that all three political parties could support, that we not consider an increase at this time. The Liberal members of that committee were under instructions from whoever was managing the committee for the government at that time that they should vote against such a recommendation. It is inappropriate, in my view, that the committee operated in such a fashion that it could not present its case in a nonpartisan way.

1700

I can tell the members that this is the third year in a row that I have participated in the prebudget consultation and it represents a departure from

two years ago when, I must admit, the openness and willingness of the Treasurer to look at the preconsultation process was exceptional. But that was missing this time around and it was clearly evident by the government's stonewalling on the land transfer tax increase.

I had an opportunity to table over 30,000 petitions in this House from current and future home buyers all across this province. We had a press conference three days prior to the budget, when the government was still holding on to its line that it had made no firm decision. We had representations from the Metropolitan Hamilton Real Estate Board and the Real Estate Board of Ottawa-Carleton, right in the backyard of the Minister of Revenue, in his own constituency area. President Alan Gale from the Ottawa board took the time to come up here and to attend that press conference and to make known the serious implications of such an increase.

We received a barrage of letters, and I would like to read one for the record. It is a brief note which, in my view, really sums up the feelings of current and future home buyers with respect to the government's plan to increase the land transfer tax and how inappropriate its so-called rebate plan will be. This letter is from Mrs Patricia King from Lively, Ontario. She addresses it to "David Peterson, Bob Nixon et al," so I guess that includes the honourable Minister of Revenue.

"We are opposed to any increases in land transfer tax. We are not reaping the profits as rich land speculators. We are a one-income couple with two kids who have never owned a home. After 11 years of paying high rent and having to relocate to stay employed, we want to invest what little we have left into our first home.

"Your OHOSP plan is a joke; \$2,000 saved towards a home worth several hundred thousand dollars. Increasing the land transfer tax wipes out any benefit our careful contributions may have had.

"Get out of your ivory towers and listen to the people that put you there. Owning a home is a luxury that is out of reach for most Canadians. Think of that while you sit and relax in yours or get your government to start doing something about it."

Again, as I say, that was a letter from Patricia King from Lively, Ontario—

Hon Mr Grandmaitre: A lively letter.

Mr Jackson: It is a lively letter, is it not? I hope the minister is listening, because I will tell him what disturbs me as well about his land transfer tax increase. It is not only that his

OHOSP rebate plan will not work. It may affect only a handful of people who had to preapply for the program and, second, the plan does not even overcome the built-in bias for first-time home buyers who may now find themselves out of their homes through the process of a separation and are forced to be non-home-owners.

His plan lacks basic sensitivity. Take a separated or divorced woman with two children who may have owned a home and in the separation agreement lost what little equity the couple had, which has gone to pay a whole bunch of legal fees. When those couples wish to re-establish themselves and to stabilize their home environment, this government is right there ready, willing and able to grab that land transfer tax increase. They could have at least shown some sensitivity to single parents who are forced to modify their living standards but who still aspire to stabilizing a life for their children through home ownership.

I am disturbed that this government has increased the threshold at which it increases the tax. They have done some pretty creative things with the way they have structured the tax increase. It goes to a two per cent flat tax on the value over \$400,000. The minister knows as well as I do that, now that he has increased to the two per cent threshold for the first time in our history, he is able to move from \$400,000 down to \$300,000 down to \$200,000.

We know that his plan is not simply to increase the revenues at the top end; in fact, by adjusting the grid, he is able to move that two per cent tax from the \$400,000 level and drop it down to, say, \$150,000 or \$200,000. He will reap enormous financial benefit from that at the expense of those people who wish to find home ownership.

There is only one province in Canada that has a two per cent threshold, and that is New Brunswick. I am sorry, that is British Columbia. I have to correct the record. That was brought in particularly to slow down the housing market and curb foreign investment in home ownership in Vancouver, whose inflation rate was far greater than that occurring in Ontario. But by now moving to that two per cent threshold, the government will be able to increase its tax revenue just by moving the percentage point around. The government has not fooled anyone on our side of the House with what its long-term plan is to do with this increase.

I think it was rather deceptive that two years ago, when the government brought in its first tax increase, it indicated that it would punish home owners. They increased the formula just for

home owners, but not for raw land or for industrial-commercial transactions, cottage properties, any of those other types of properties. Under this bill, they have increased the land transfer tax to an even greater extent for industrial and commercial properties, thus adding even further to the burden that business has to carry as a result of the budget.

Business is adversely affected by nine separate announcements that occurred within the budget and this is certainly one of them, because the government has not only increased it for the land transfer tax but also for the lot levy tax, in spite of its protestations that this was only going to be on residential property.

I guess members of the House are aware of how angry I am about this tax increase, how unfairly it punishes home owners, how cavalier this government has been with the whole notion of affordable housing. I, for one, will not be party to a bill that would specifically seek out home owners and punish them when in fact to aspire to home ownership is considered by most everyone globally as one of the greater goods, stabilizing communities and assisting them to develop. I think that any measure, especially this measure, which flies in the face of affordability and access to housing should be voted down and I urge all members to do likewise.

Hon Mr Grandmaitre: I just made a very last note. The member for Burlington South was talking about a person buying a \$400,000 home.

Mr Pope: No way.

Hon Mr Grandmaitre: Yes, he did.

Mr Jackson: I said \$400,000 to \$500,000.

Hon Mr Grandmaitre: No, the member said \$400,000. Check the record.

The Deputy Speaker: Order, please. No interjections and the minister will address his remarks to the Speaker.

Hon Mr Grandmaitre: The member should check the land transfer tax that his friend paid or would have paid previously and it would be the very same tax. It is everything over \$400,000, just to remind him.

1710

My honourable friend the member for Beaches-Woodbine (Ms Bryden) and also the member for Burlington South said a great deal about the Ontario home ownership savings plan and how ineffective OHOSP was. Especially, the member for Beaches-Woodbine said that OHOSP was not a program acceptable in Metropolitan Toronto. I want to remind the honourable member that 11,558 plans, in other

words, 31 per cent of all OHOSPs, were sold in the Metro area; and in southwestern Ontario, 22 per cent or 8,415 plans were sold.

I think OHOSP speaks for itself. It is a great success. Now that we have improved the OHOSP program to one that will provide rebates to first-time home buyers, I think this is a great advantage, and I am sure OHOSP will realize all the success that was expected of this plan.

I think what we have introduced today is reasonable. I realize, as the member for Burlington South mentioned, that this tax originated back in 1921.

Mr Jackson: It was a Liberal government.

Hon Mr Grandmaitre: Yes, possibly a Liberal government in those days.

If you look at the tax increase, it did move a few percentage points. I think it is a reasonable tax. These dollars will be used, as I said previously, to build roads and schools, improve the environment and so on. I think these dollars will be wisely invested again in Ontario.

The Deputy Speaker: Hon Mr Grandmaitre has moved second reading of Bill 23, An Act to amend the Land Transfer Tax Act. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Is there an agreement to stack it to 5:45 today?

Vote stacked.

Hon Mr Conway: Actually, we had an agreement to stack all the divisions relating to second reading until we complete this package of revenue matters.

Mr Jackson: And a fat package it is.

Hon Mr Conway: For the edification of my friend the member for Burlington South, the 14th order.

GASOLINE TAX AMENDMENT ACT, 1989

LOI DE 1989 MODIFIANT LA LOI DE LA TAXE SUR L'ESSENCE

Hon Mr Grandmaitre moved second reading of Bill 24, An Act to amend the Gasoline Tax Act.

Le Vice-Président : Est-ce que le ministre a une déclaration préliminaire?

L'hon. M. Grandmaitre : La taxe sur l'essence sera majorée de un cent le litre pour toute catégorie d'essence.

This bill, An Act to amend the Gasoline Tax Act, provides for an increase in the rate of tax on gasoline. The tax rates, as a result of this

amendment bill, will be 10.3 cents per litre for unleaded gasoline and 13.3 cents per litre for leaded gasoline. The new rate of tax on aviation fuel will be 2.1 cents per litre, which represents an increase of 0.22 cents per litre on the old rate of 1.88 cents per litre. The increases are to be made effective as of 12:01 am, 18 May 1989.

A compter du 1^{er} juillet 1989, une taxe de 2,3 cents le litre sera imposée sur le propane vendu en Ontario pour utilisation dans un véhicule immatriculé ou qui doit être immatriculé en vertu du code de la route.

A further increase to the tax rates effective 1 January 1990 is provided for in this bill. At this time, the tax rates will be 11.3 cents per litre for unleaded gasoline and 14.3 cents per litre for leaded gasoline. The tax on propane will be increased to 4.3 cents per litre.

Further, I will be moving amendments to this bill for debate in committee.

The Deputy Speaker: Questions and comments on the minister's statement? If not, do other members wish to participate in the debate?

Ms Bryden: This is another regressive tax along with the other three we are considering before the House today, so naturally we are opposing it, because it is moving the tax system away from a partly progressive system to a very regressive system. I think that is completely inconsistent with a small-l liberal philosophy that taxes should be based on ability to pay and that they should not hit people in ways that inhibit their opportunities to make a living. They should not hit certain categories of taxpayers harder than others. They should also not hit certain geographical areas harder than others. This tax fails on all of those tests.

The bill is to implement increases in the gasoline tax. These increases are on top of increases that were put into last year's budget. At that time, we raised \$170 million from the increases. This year an even greater amount will be taken in. This year it will be \$260 million from the tax increases under this bill and last year it was \$170 million.

The main increases include a one-cent-per-litre increase in the gas tax on leaded and unleaded gasoline effective 18 May 1989 and an additional one cent per litre effective 1 January 1990. The new rates will be 11.3 cents per litre unleaded and 14.3 cents per litre leaded. This is very heavy taxation for many people in this province who have to use their cars for a variety of reasons that require much more driving than other people who use their cars more perhaps for

getting to work, for short distances or for vacations.

The people who are most hit are northerners who have to travel much longer distances and who have less public transit or other alternative methods, such as rail or air, for getting to places. It hits all northerners on every delivery that goes into the north by truck, bus or some vehicle that uses gasoline. We already know that northerners pay very high rates for supplies coming from outside the north.

This tax hits seniors and the disabled, because they need cars to get around more than other people. Some of them cannot use public transit at all. Many of them cannot afford the taxis which the Minister of Transportation (Mr Fulton) is saying he is going to see are available for them. He is not offering to subsidize those taxis. They hit seniors who receive goods and deliveries from vehicles using gasoline.

They also hit school boards that operate school buses and yet the minister has been cutting back on school funding from his original aim of 60 per cent, which the Conservative government had as its objective.

It hits people who operate transit systems using gasoline powered vehicles. This of course means that the costs of those transit systems will be increased and, again, the people who need those transit systems very badly will be the ones who pay the most. It is a very unfair tax and that is another reason why it should be opposed, that it is an unfair tax.

1720

With regard to the leaded and unleaded gasoline having a differential rate, I would think the minister could have increased the differential if he really wanted to discourage the use of leaded gas. There are still many people using leaded gas when their vehicle would be better off with unleaded, although it may still operate on either. He should put a severe penalty on the use of leaded gas, because we know it is highly polluting, it is highly toxic and the atmosphere and the environment simply cannot carry that kind of pollution any more.

The tax on aviation fuel is very small, 0.22 cents per litre, but I wonder if the minister thinks it is a way of getting people to rely less on air travel and more on travel in nonpolluting vehicles like trains or vehicles that use nonpolluting fuels.

The removal of the exemption for propane is really imposing a new tax on another fuel used in licensed motor vehicles. I am highly sceptical of propane being allowed for any motor vehicles, I

think it is much too volatile and much too dangerous to be allowed on the highways or in the service stations. We have had some very bad incidents in the city of Toronto, where there has been inadequate care in servicing cars that need propane and there have been some serious accidents. This is another tax grab the minister could have avoided in the interests of safety and tried to discourage the use of this fuel by more rigid regulations, rather than trying to do it by another 2.3 cents a litre in 1989 and another two cents in 1990.

With the exception of Quebec, Ontario has the highest gas taxes in Canada, and that is another reason why we are becoming a province without a fair tax system. It is another reason why northerners are being alienated from this government, and I think they should be, because they are being very badly hit by this. Many of my colleagues from the northern constituencies, such as the member for Nickel Belt (Mr Laughren), the member for Sudbury East (Miss Martel) and also the member for Algoma (Mr Wildman), spoke last year against the gasoline tax increase with very eloquent voices, because they know how much this gas tax affects the people in their area.

I know they would back up what I am saying, that we should really ask the minister to stop using this kind of regressive tax and make sure we start moving away and into more progressive taxes. They could easily raise the amount of money that is going to come from this by a tax on corporate income. They could raise it by a tax on the 25,000 corporations now escaping tax due to loopholes. The Treasurer is just not looking at his corporate friends as a possible source of additional revenue, but he is looking at most of the middle- and low-income groups, northerners and seniors.

I would also like to remind the minister—he did not mention it, I think, in his opening statement—that he is going to have to bring in an amendment to both this bill and Bill 21 to try to bring some sort of control over the sale of gasoline and fuel across the border. It came out in the last year that there had been a long-time leakage, shall we say, of tax revenues by the improper moving of these fuels across the border.

I understand that the minister is proposing an amendment to both these bills which will try to bring this situation under control, but it indicates that there has been a great laxity in the Ministry of Revenue that allowed these leakages to occur. It allowed these vehicles to move gasoline and fuel oil across the border more or less unchecked.

It is going to require very stringent rules and monitoring of those international movements of fuel. I think the minister should be censured, and probably his predecessors also, for not having paid enough attention to this loss of revenue that was going on for many years. I hope the amendments will be adequate to bring this situation under control and make sure we do not lose revenue that is legitimately ours.

With those comments, I would like to say that we will be voting against this tax and we will be hoping the minister will also decide he does not need any more regressive taxes. He should let people off further gasoline tax this year when he got such a big chunk of revenue out of them last year: another \$170 million.

Mr Pope: I have a few brief comments. I am surprised that the Minister of the Environment (Mr Bradley) would not claim that this is an environmental tax as well, that this is beneficial to the environment. When people drive their cars they pollute; therefore, keep them off the highways. That seems to be the rationale that is going through this Liberal government over here. It does not make any sense to anyone else but it makes sense to them in their own perverted way of thinking over there.

The fact of the matter is that this is another slam in the teeth of the taxpayers of this province, orchestrated by a Liberal government that does not care about the personal financial situations and circumstances of the taxpayers of this province. They nail people if they drive a car; they nail people if they want to buy a new tire; they nail people in the sales tax on their personal purchases; they have nailed people three times on personal income tax rates since they came to power; and now we have the example of a third one-cent-a-litre increase.

How did they do it? They started off by changing the ad valorem tax to a set base, and now in two successive budgets they have nailed the drivers of this province with staggering increases of over 35 per cent for unleaded gasoline and over 70 per cent for leaded gasoline since they came to office. It is a disgraceful record of taxation that is having a direct impact on virtually every Ontarian. They ought to be ashamed of themselves.

There is no way this party or any opposition would support these tax measures, no way at all. They are unnecessary. The money is not going to the environment in spite of what they claim. It is another tax grab in the order of \$145 million of new revenues in fiscal year 1989-90 and \$297 million in the full year.

1730

We do not think these additional tax increases are required. We do not think they merit support in this house. We think they are going to have a dramatic impact on the competitiveness of Ontario's economy. They are going to have a dramatic impact on drivers in every region of the province; it does not matter where they live. We think it is another negative incentive for people to live and work in Ontario.

It would be different if we were satisfied that this government was properly managing the tax dollars; we are not. There is ample evidence of that mismanagement in the hands of individual ministries that we have named on many occasions. The Chairman of the Management Board of Cabinet (Mr Elston) has done nothing to bring this under control for two successive years. We see three ministers again this year with increases in administrative costs of over 30 per cent. We do not accept that at all. It is unconscionable. It is irresponsible. It is mismanagement at its Liberal worst and we will not in any way support any measures of this government to allow that to continue to happen.

Hon Mr Grandmaître: My friend the member for Cochrane South (Mr Pope) was referring to the ad valorem tax. I want to remind him that the former government, his own government, brought in the ad valorem tax back in 1981. In 1986, that tax was replaced with a fixed unit, a fixed stance of 8.3 per cent, and in 1989 we are talking about a two-cent increase.

So this tax, which started back in 1925, was again introduced by the former administration. If members look at the tax increases, I think they have been very reasonable. Better than that, I think this government is investing or using those gasoline tax dollars in a better way than the former government. At least we are using it to build new roads and bridges and to improve new transportation programs. At least we are not simply taxing people. We are using, we are investing those dollars in better roads and bridges and transportation programs. I think this will go a long way to improve these programs.

Also, in my opening remarks or statement I left out a very important factor that this bill will be doing. I think it was referred to by my friend the member for Beaches-Woodbine (Ms Bryden) in talking about the gasoline tax fraud. I am pleased to say that at this time the federal government has finally made up its mind and we will be working out a way or a program of tax collection at the border crossings. Finally, after

three or four years of negotiations with the federal government we have reached a—

Interjections.

The Deputy Speaker: Order, please.

Hon Mr Grandmaître: Also, the amendments I will be moving in committee are designed to provide the legislative authority for such collection of taxes by the federal government at the time of importation of gasoline into Ontario.

Some years ago, back in 1984 or 1985, if I am not mistaken, Ontario worked out a program, a dyeing program, where you dyed the clear gasoline when it crossed the US border, and now we are working on a new program that will provide us not only with more tax dollars, but will certainly prevent gasoline fraud to which this province has been losing quite a number of dollars over the years.

The Deputy Speaker: Mr Grandmaître has moved second reading of Bill 24, An Act to amend the Gasoline Tax Act.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Vote stacked.

FUEL TAX AMENDMENT ACT, 1989

LOI DE 1989 MODIFIANT LA LOI DE 1981 DE LA TAXE SUR LES CARBURANTS

Hon Mr Grandmaître moved second reading of Bill 21, An Act to amend the Fuel Tax Act.

Le Vice-Président : Est-ce que le ministre a une déclaration préliminaire?

L'hon. M. Grandmaître : A compter du 18 janvier 1989, la taxe sur les carburants sans colorant pour moteur diesel sera augmentée de un cent le litre pour utilisation générale et de 0,3 cents le litre pour le carburant utilisé sur les chemins de fer.

This bill, An Act to amend the Fuel Tax Act, provides for an increase in the rate of tax on fuel. The tax rates as a result of this amendment bill will be 10.9 cents a litre for general use and 3.4 cents a litre for all grades of fuel used in railway equipment.

I will be moving an amendment to this bill for debate in committee. This amendment provides the necessary changes to legislation to give effect to tentative programs for collection of taxes by the federal government at the time of importation of clear middle-distillate fuels into Ontario. When completed, this proposed amendment will permit Ontario to monitor importation of fuel

from the United States and eliminate noncompliance and tax evasion.

Ms Bryden: This is the fourth whammy that has been put on the middle- and low-income consumers of this province. It is another regressive tax. What the Fuel Tax Amendment Act does is increase the tax on diesel fuel by one cent per litre, raising it from 9.9 cents to 10.9 cents per litre. It also increases the tax on diesel fuel used by railway locomotives by 0.3 cents, up to 3.4 cents per litre.

Like all commodity taxes, this increase will be passed on to people who ride diesel buses and trains. It will be passed on to all the people in the province who buy goods that are transported and delivered to them by diesel-fuelled trucks and trains. This tax really adds to our regressive tax system. It shifts away from taxes based on ability to pay.

I do not see anything in the budget for a program to help diesel fuel users shift away from this highly polluting fuel to less polluting ones. It simply takes a little more money from them, and the cost will be passed on to the consumers who have to use the vehicles that are using this kind of fuel.

It would have been so much easier, though, for the Treasurer (Mr R. F. Nixon) to get an amount from the 25,000 corporations that are not paying any tax or from the personal income taxpayers, numbering 50,000 annually, who pay no income tax, but he still prefers this kind of tax that affects all consumers in the province and adds to the regressivity. Therefore, we are also opposing this tax, for those reasons.

1740

Mr Pope: Very briefly, I just say that we are opposed to this tax measure.

Hon Mr Elston: You're so negative.

Mr Pope: It has the same rationale the other tax increases have, and we do not accept that rationale. We do not accept that the money is being properly managed, and to the Liberal government spokesman who said we are so negative, we happen to think that a \$1.3-billion tax grab for two consecutive years is the most destructive, negative thing an administration in this province can do to the people. We attempt to stand with the people and oppose this kind of tax grab, this kind of financial and fiscal irresponsibility that the Liberal government has been the author of.

Before the Minister of Revenue (Mr Grandmaitre) tries to get up and give anyone a lecture or a lesson in history, he should desist from rewriting history while he is giving the lesson. The fact of

the matter is, as was put on the record by my party, when they changed the tax from the ad valorem to a set tax rate, we put on the record at that time that we thought that was at the same time an increase in the tax, and we put on the record on successive budgets that at the same time they were increasing the tax on unleaded and leaded gasoline and on fuels as part of their budgetary policies.

I do not think the minister should rewrite history by trying to claim that an increase—even ignoring whether or not they added to the gasoline tax when they went from ad valorem to a set rate—from 8.3 cents per litre to 11.3 cents a litre on unleaded gasoline and an increase from 8.3 to 14.3 cents a litre on leaded gasoline represents anything other than a 36.1 per cent and a 72.3 per cent increase in the tax rate that this government is applying to gasoline products.

This tax and the fuel tax are having a dramatic and direct impact on the daily lives of the people of this province. Our industries are suffering. Our people are suffering. Tourism in eastern Ontario is suffering because of these measures, and the minister knows it. They have it now costing two times more in Ontario to fuel up, to fill your tank, than it does in adjoining jurisdictions. It is having a dramatic and direct impact on businesses, on garage businesses and gasoline sales businesses in the border areas of eastern Ontario.

We saw losses of over \$9 million last year in the St Lawrence Parks Commission. There is no doubt that we are starting to see a dramatic and direct negative impact on tourism in eastern Ontario, let alone the rest of the province, and it is partially because of the tax policies of this government and their impact on the competitiveness of Ontario as a tourist haven, as a haven to invest capital in, as a haven to open up a new business and expand your existing business in.

Not only do we have a direct impact on the daily lives of the people of this province, we are starting to see a dramatic and direct impact on the economic opportunities of this province. That is why we do not support the direction this government is heading in.

The Acting Speaker: If there are no other speakers, the Minister of Revenue to conclude the debate with his reply.

Hon Mr Grandmaitre: As usual, my friend the member for Cochrane South seems to be winning every argument, but he will not deny that in 1981 the famous ad valorem tax was the responsibility of the former government, and in 1986 they enjoyed it by applying a fixed tax.

The honourable member also mentioned that this tax bill has the same rationale as the previous one and he is absolutely right because—I want to repeat what I said previously—we want to build better roads and better bridges and that is exactly what we are doing.

I know the honourable member understands the budget situation and the deficit of this province. He will not admit that these tax dollars have been steadily improving our deficit, and for the first time in 19 years we have lowered the deficit to its lowest figure.

Again, I think this is a good investment in the future and I hope that all members of this assembly will support second reading.

The Acting Speaker: The Minister of Revenue has moved second reading of Bill 21, An Act to amend the Fuel Tax Act.

All those in favour will please say “aye.”

All those opposed will please say “nay.”

In my opinion the ayes have it.

Five or more members having risen in their seats a division is necessary, and since this is the last in the series of bills—

Hon Mr Conway: Just to anticipate your comment, Mr Speaker, I was going to remind everybody that we have an agreement. The stacked votes, as I understand it, will be for the stacked second reading of Bill 20, the stacked second reading of Bill 19 and second reading of Bills 21, 22, 23 and 24.

The Acting Speaker: As agreed, therefore, there will be votes on six bills.

1800

The Speaker: I would remind all members that we have six bills on which to vote.

DEVELOPMENT CHARGES ACT, 1989

The House divided on Hon Mr Eakins's motion for second reading of Bill 20, An Act to provide for the Payment of Development Charges, which was agreed to on the following vote:

Ayes

Beer, Bossy, Bradley, Brown, Callahan, Campbell, Carrothers, Chiarelli, Cleary, Collins, Conway, Cordiano, Curling, Dietsch, Elliot, Elston, Faubert, Fleet, Fulton, Grandmaître, Haggerty, Hart, Hošek, Keyes, Kozyra, Lupusella, Mahoney, Mancini, Matrundola, McGuigan, Miclash, Morin, Neumann, Nixon, J. B., Offer, O'Neil, H., O'Neill, Y., Owen, Patten, Pelissero, Phillips, G., Polsinelli, Poole, Ray, M. C., Roberts, Smith, D. W., Smith,

E. J., South, Stoner, Sullivan, Sweeney, Velshi, Wong.

Nays

Allen, Brandt, Breough, Bryden, Charlton, Cooke, D. S., Cousens, Eves, Grier, Hampton, Harris, Jackson, Johnson, J. M., Marland, Martel, McLean, Philip, E., Pope, Reville, Villeneuve, Wildman.

Ayes 53; nays 21.

Bill ordered for standing committee on finance and economic affairs.

POWER CORPORATION AMENDMENT ACT, 1989

The House divided on Hon Mr Wong's motion for second reading of Bill 19, An Act to amend the Power Corporation Act, which was agreed to on the following vote:

Ayes

Beer, Bossy, Bradley, Brandt, Brown, Callahan, Campbell, Carrothers, Chiarelli, Cleary, Collins, Conway, Cordiano, Cousens, Curling, Dietsch, Elliot, Elston, Eves, Faubert, Fleet, Fulton, Grandmaître, Haggerty, Harris, Hart, Hošek, Jackson, Johnson, J. M., Keyes, Kozyra, Lupusella, Mahoney, Mancini, Marland, Matrundola, McGuigan, McLean, Miclash, Morin, Neumann, Nixon, J. B., Offer, O'Neil, H., O'Neill, Y., Owen, Patten, Pelissero, Phillips, G., Polsinelli, Poole, Pope, Ray, M. C., Roberts, Smith, D. W., Smith, E. J., South, Stoner, Sullivan, Sweeney, Velshi, Villeneuve, Wong.

Nays

Allen, Breough, Bryden, Charlton, Cooke, D. S., Grier, Hampton, Martel, Philip, E., Reville, Wildman.

Ayes 63; nays 11.

Bill ordered for third reading.

The Speaker: We now have Bill 21. I wonder if, in order to expedite business here, would there be agreement that we use the same vote as on Bill 20 for Bills 21, 22, 23 and 24?

Agreed to.

FUEL TAX AMENDMENT ACT, 1989

RETAIL SALES TAX AMENDMENT ACT, 1989

LAND TRANSFER TAX AMENDMENT ACT, 1989

GASOLINE TAX AMENDMENT ACT, 1989

The Speaker: Hon Mr Grandmaître has moved second reading of Bill 21, An Act to

amend the Fuel Tax Act, 1981; Bill 22, An Act to amend the Retail Sales Tax Act; Bill 23, An Act to amend the Land Transfer Tax Act, and Bill 24, An Act to amend the Gasoline Tax Act.

The House divided on Hon Mr Grandmaître's motions, which were agreed to on the following vote:

Ayes

Beer, Bossy, Bradley, Brown, Callahan, Campbell, Carrothers, Chiarelli, Cleary, Collins, Conway, Cordiano, Curling, Dietsch, Elliot, Elston, Faubert, Fleet, Fulton, Grandmaître, Haggerty, Hart, Hošek, Keyes, Kozyra, Lupusella, Mahoney, Mancini, Matrundola, McGuigan, Miclash, Morin;

Neumann, Nixon, J. B., Offer, O'Neil, H., O'Neill, Y., Owen, Patten, Pelissero, Phillips, G., Polsinelli, Poole, Ray, M. C., Roberts, Smith, D. W., Smith, E. J., South, Stoner, Sullivan, Sweeney, Velshi, Wong.

Nays

Allen, Brandt, Breagh, Bryden, Charlton, Cooke, D. S., Cousens, Eves, Grier, Hampton, Harris, Jackson, Johnson, J. M., Marland, Martel, McLean, Philip, E., Pope, Reville, Villeneuve, Wildman.

Ayes 53; nays 21.

Bills ordered for committee of the whole House.

The House adjourned at 1810.

ALPHABETICAL LIST OF MEMBERS*

(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

- Adams, Peter (Peterborough L)
 Allen, Richard (Hamilton West NDP)
 Ballinger, William G. (Durham-York L)
 Beer, Charles (York North L)
 Black, Kenneth H. (Muskoka-Georgian Bay L)
 Bossy, Maurice L. (Chatham-Kent L)
Bradley, Hon James J., Minister of the Environment (St Catharines L)
 Brandt, Andrew S. (Sarnia PC)
 Breaugh, Michael J. (Oshawa NDP)
 Brown, Michael A. (Algoma-Manitoulin L)
 Bryden, Marion (Beaches-Woodbine NDP)
 Callahan, Robert V. (Brampton South L)
 Campbell, Sterling (Sudbury L)
Caplan, Hon Elinor, Minister of Health (Oriole L)
 Carrothers, Douglas A. (Oakville South L)
 Charlton, Brian A. (Hamilton Mountain NDP)
 Chiarelli, Robert (Ottawa West L)
 Cleary, John C. (Cornwall L)
 Collins, Shirley (Wentworth East L)
Conway, Hon Sean G., Minister of Mines (Renfrew North L)
 Cooke, David R. (Kitchener L)
 Cooke, David S. (Windsor-Riverside NDP)
 Cordiano, Joseph (Lawrence L)
 Cousens, W. Donald (Markham PC)
 Cunningham, Dianne E. (London North PC)
 Cureatz, Sam L. (Durham East PC)
Curling, Hon Alvin, Minister of Skills Development (Scarborough North L)
 Daigeler, Hans (Nepean L)
 Dietsch, Michael M. (St Catharines-Brock L)
Eakins, Hon John F., Minister of Municipal Affairs (Victoria-Haliburton L)
Edighoffer, Hon Hugh A., Speaker (Perth L)
 Elliot, R. Walter (Halton North L)
Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)
 Epp, Herbert A. (Waterloo North L)
 Eves, Ernie L. (Parry Sound PC)
 Farnan, Michael (Cambridge NDP)
 Faubert, Frank (Scarborough-Ellesmere L)
 Fawcett, Joan M. (Northumberland L)
 Ferraro, Rick E. (Guelph L)
 Fleet, David (High Park-Swansea L)
Fontaine, Hon René, Minister of Northern Development (Cochrane North L)
Fulton, Hon Ed, Minister of Transportation (Scarborough East L)
 Furlong, Allan W. (Durham Centre L)
Grandmaître, Hon Bernard C., Minister of Revenue (Ottawa East L)
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)
 Haggerty, Ray (Niagara South L)
 Hampton, Howard (Rainy River NDP)
 Harris, Michael D. (Nipissing PC)
 Hart, Christine E. (York East L)
 Henderson, D. James (Etobicoke-Humber L)
Hošek, Hon Chaviva, Minister of Housing (Oakwood L)
 Jackson, Cameron (Burlington South PC)
 Johnson, Jack (Wellington PC)
 Johnston, Richard F. (Scarborough West NDP)
 Kanter, Ron (St Andrew-St Patrick L)
Kerrio, Hon Vincent G., Minister of Natural Resources (Niagara Falls L)
 Keyes, Kenneth A. (Kingston and The Islands L)
 Kormos, Peter (Welland-Thorold NDP)
 Kozyra, Taras B. (Port Arthur L)
Kwinter, Hon Monte, Minister of Industry, Trade and Technology (Wilson Heights L)
 Laughren, Floyd (Nickel Belt NDP)
 LeBourdais, Linda (Etobicoke West L)
 Leone, Laureano (Downsview L)
 Lipsett, Ron (Grey L)
 Lupusella, Tony (Dovercourt L)
 MacDonald, Keith (Prince Edward-Lennox L)
 Mackenzie, Bob (Hamilton East NDP)
 Mahoney, Steven W. (Mississauga West L)
Mancini, Hon Remo, Minister without Portfolio (Essex South L)
 Marland, Margaret (Mississauga South PC)
 Martel, Shelley (Sudbury East NDP)
 Matrundola, Gino (Willowdale L)
 McCague, George R. (Simcoe West PC)
 McClelland, Carman (Brampton North L)
 McGuigan, James F. (Essex-Kent L)
 McGuinty, Dalton J. (Ottawa South L)
 McLean, Allan K. (Simcoe East PC)
McLeod, Hon Lyn, Minister of Colleges and Universities (Fort William L)
 Miclash, Frank (Kenora L)

Miller, Gordon I. (Norfolk L)
 Morin, Gilles E. (Carleton East L)
 Morin-Strom, Karl E. (Sault Ste Marie NDP)
 Neumann, David E. (Brantford L)
 Nicholas, Cindy (Scarborough Centre L)
 Nixon, J. Bradford (York Mills L)
Nixon, Hon Robert F., Deputy Premier and Treasurer of Ontario and Minister of Economics (Brant-Haldimand L)
Oddie Munro, Hon Lily, Minister of Culture and Communications (Hamilton Centre L)
 Offer, Steven (Mississauga North L)
O'Neil, Hon Hugh P., Minister of Tourism and Recreation (Quinte L)
 O'Neill, Yvonne (Ottawa-Rideau L)
 Owen, Bruce (Simcoe Centre L)
Patten, Hon Richard, Minister of Government Services (Ottawa Centre L)
 Pelissero, Harry E. (Lincoln L)
Peterson, Hon David R., Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)
 Philip, Ed (Etobicoke-Rexdale NDP)
Phillips, Hon Gerry, Minister of Citizenship (Scarborough-Agincourt L)
 Poirier, Jean, Deputy Speaker and Chairman of the Committees of the Whole House (Prescott and Russell L)
 Pollock, Jim (Hastings-Peterborough PC)
 Polsinelli, Claudio (Yorkview L)
 Poole, Dianne (Eglinton L)
 Pope, Alan W. (Cochrane South PC)
 Pouliot, Gilles (Lake Nipigon NDP)
 Rae, Bob (York South NDP)
Ramsay, Hon David, Minister of Correctional Services (Timiskaming L)
 Ray, Michael C., Deputy Chairman of the Committees of the Whole House (Windsor-Walkerville L)
 Reville, David (Riverdale NDP)
 Reycraft, Douglas R. (Middlesex L)

Riddell, Hon Jack, Minister of Agriculture and Food (Huron L)
 Roberts, Marietta L. D. (Elgin L)
 Runciman, Robert W. (Leeds-Grenville PC)
 Ruprecht, Tony (Parkdale L)
Scott, Hon Ian G., Attorney General and acting Solicitor General and minister responsible for native affairs (St George-St David L)
 Smith, David W. (Lambton L)
 Smith, E. Joan, (London South L)
 Sola, John (Mississauga East L)
Sorbara, Hon Gregory S., Minister of Labour (York Centre L)
 South, Larry (Frontenac-Addington L)
 Sterling, Norman W. (Carleton PC)
 Stoner, Norah (Durham West L)
 Sullivan, Barbara (Halton Centre L)
Sweeney, Hon John, Minister of Community and Social Services (Kitchener-Wilmot L)
 Tatham, Charlie (Oxford L)
 Velshi, Murad (Don Mills L)
 Villeneuve, Noble (Stormont, Dundas and Glengarry PC)
Ward, Hon Christopher C., Minister of Education (Wentworth North L)
 Wildman, Bud (Algoma NDP)
Wilson, Hon Mavis, Minister without Portfolio (Dufferin-Peel L)
 Wiseman, Douglas J. (Lanark-Renfrew PC)
Wong, Hon Robert C., Minister of Energy (Fort York L)
Wrye, Hon William, Minister of Consumer and Commercial Relations (Windsor-Sandwich L)

*The alphabetical list of members appears in each issue. Lists of the members of the executive council, parliamentary assistants and members of committees, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

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Ontario

No. 32

Hansard

Official Report of Debates

Legislative Assembly of Ontario



Second Session, 34th Parliament

Tuesday 27 June 1989

Speaker: Honourable Hugh A. Edighoffer
Clerk of the House: Claude L. DesRosiers

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Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 27 June 1989

The House met at 1330.

Prayers.

ANNUAL REPORT, INFORMATION AND PRIVACY COMMISSIONER OF ONTARIO

The Speaker: I beg to inform the House I have today laid upon the table the first annual report of the Information and Privacy Commissioner of Ontario for the year ending 31 December 1988.

MEMBERS' STATEMENTS

CONTAMINATED SOIL

Mrs Grier: Ten years ago, radioactive soil was found under the homes on McClure Crescent in Scarborough. This government has done nothing to solve this appalling environmental and public health problem. I know that the legal and jurisdictional issues involved are complex, but they should be no excuse for jeopardizing public health. The Ontario government long ago undertook to move the toxic soil and to find an interim storage site until the Atomic Energy Control Board finds a final disposal site.

Over a year ago, I wrote to the ministers of Housing, Health, Environment and Government Services pressing them to get on with removing the radioactive soil from McClure Crescent. I said that until that happens, the government must stop renting out the homes on the street and locate alternative housing for the tenants. But even now, not one square metre of soil has been moved and not a single house has been evacuated by order of this government. Assurances that negotiations with the federal government about soil removal are proceeding apace are hollow words indeed as long as residents may be suffering the effects of living in radioactive surroundings.

I am struck by the speed with which a different toxic soil removal problem is being solved somewhere else. Only a year ago, soil contaminated with lead was found in Pickering. The soil removal is expected to be completed by the end of July. With lead-tainted soil, it took only a year from discovery of the problem to its solution. With radioactive soil on McClure Crescent, it has taken a decade for essentially nothing to happen.

When is this government going to act to remove radioactive pollution in Scarborough?

HIGHWAY SAFETY

Mrs Cunningham: Highway 401 between Woodstock and London has become, in the public's opinion, a death trap. In the last five years, over 600 people have been injured and 18 people have died as a result of car accidents that have occurred on this stretch of highway. We all recognize that these statistics are horrendous and something must be done to avoid further tragedy.

On 22 June, the Minister of Transportation (Mr Fulton) met with the mayors of Woodstock and London to discuss this serious problem. The following proposals were presented, which I trust the minister will study and act upon immediately.

1. The New Jersey-style barriers are preferred and should be constructed to prevent traffic from crossing the median. Research has shown that this type of barrier has a low-impact absorption, which causes a rolling vehicle to roll up the side of the barrier, thus reducing injury rates significantly.

2. The ministry has set a construction schedule of these medians over a span of 10 years, but in 10 years the fatalities and injuries as a result of car accidents will increase even more. They have therefore proposed a three-year span.

They have also recommended that another lane be added to handle the increased truck traffic they anticipate as a result of Highway 402 and Highway 403.

We are all asking the minister to study the recommendations immediately.

PETERBOROUGH COMMUNITY LEGAL CENTRE

Mr Adams: This spring I attended the official opening of the Peterborough Community Legal Centre. The centre provides free legal service to low-income Peterborough county and city residents. Two lawyers, Jack Fleming and Paul Rapsey, have already given advice to hundreds of people and are acting for upwards of 100 of them.

The centre offers assistance with landlord-tenant complaints, welfare programs, family

benefits, Workers' Compensation Board appeals, government pensions, unemployment insurance, human rights, employment standards, vocational rehabilitation and family allowances.

The Peterborough centre is one of 65 located across Ontario. It is funded through the Ontario legal aid plan. I was delighted to see this plan reinforced in the government's recent budget.

Part of the centre's mandate will be community education, and centre lawyers are available to speak to groups about areas of the law. This new legal centre will help people in the greater Peterborough area achieve a higher level of social justice.

TRANSIT SERVICES

Ms Bryden: The recent announcement of the Minister of Transportation (Mr Fulton) regarding extensions to GO Transit lines and new rolling stock are more recycled announcements of existing five-year plans. The extension of the GO service to Oshawa and enhanced service to Hamilton have not yet even been put through the environmental assessment process. New rolling stock will not likely be delivered for some years and depends on future budgetary allocations. Other announced projects are only in the feasibility stage or engineering and design studies stage.

Since 90 per cent of GO rail ridership is destined for Union Station, any new GO initiatives into that station will continue to be hampered by the lack of a master plan for Union Station. The GO officials appeared before the city's land use committee and told it that this was essential.

We wonder if the Minister of Transportation's credibility as a leader in the fight for better transportation in the Golden Horseshoe is wearing very thin with these recycled announcements and no new money for the essential additions that are needed.

JOHN DANIEL BAXTER

Mr Villeneuve: A neighbour of mine, John Daniel Baxter, is a champion. He was born and raised in Roxborough township near Maxville. Big John Baxter moved to Sudbury after his school years, where he worked for Falconbridge nickel mines.

On 11 July 1974, 15 years ago, John was seriously injured in a premature mine blast and was rendered totally blind, along with suffering other injuries. Being courageous and determined, he concentrated on sports, and weight-lifting in particular.

Big John is a four-time Canadian champion super heavyweight in the blind division; a three-time Ontario champion in the able-bodied division over 40 years of age; a one-time Canadian master's champion, able-bodied division over 40 years of age; and a five-time winner of the US national championship for the blind in the super heavyweight division.

Recently, he broke three US national and world records in winning the super heavyweight division of the US national championships for the blind held in St Louis, Missouri. Also, earlier this year, John won the Australian national super heavyweight division for the blind in Brisbane, Australia.

John Daniel Baxter is a most deserving blind athlete, bringing recognition not only to his native eastern Ontario but to Ontario and to all of Canada.

Congratulations, Big John. Keep up the great work, not only in the blind division but in the able-bodied division as well. I and all members of the Legislature are very proud of you as a very determined and deserving Ontarian.

1340

RESEARCH AND DEVELOPMENT

Mr Tatham: "Good medicine tastes bitter," says Kuratsu, director of Tokai University's Institute of Research and Development. It is already obvious that the source of Japan's trade surplus is superior technology. There is absolutely no hope for a political solution to a technological problem. A technological problem can be solved only by technology, and that requires the implementation of research and development in the production process.

Technological advantages are evident when one looks at the products. American car doors are made to a tolerance of 10 millimetres. In Japan, that tolerance is less than six millimetres and the doors cost less. This is an undeniable fact, however you care to interpret it. The only way America can rid itself of the twin deficits is by eliminating the technological deficit and becoming once again the most competitive industrial producer in the world. The only question is whether America's managers have the will to make the effort.

I want to see America devote everything to strengthening its technology with manufacturing prowess. I am not the only one. There will be plenty of fans cheering for America from across the Pacific, "America was my teacher."

SHOAL LAKE WATER QUALITY

Mr Hampton: It is of ongoing interest to watch what the government of Ontario demands

of other jurisdictions in terms of environmental awareness and what the government of Ontario will attempt to get away with in terms of passing off on another province something it would not let other provinces or jurisdictions pass off on us.

Shoal Lake, on the Ontario-Manitoba border, is a lake which is very important to the province of Manitoba and specifically to the people of the city of Winnipeg. The 600,000 people who live in Winnipeg draw their drinking water from Shoal Lake. There is a gold mine being proposed for development on that lake and Manitoba is asking for complete environmental assessment. And well they should, if their drinking water is at stake. The province of Ontario says that complete environmental assessment is not necessary.

What is very interesting, though, is that under a memorandum of agreement between Ontario and Manitoba, signed in the early 1980s, Ontario commits itself to the safeguarding of water. Not only that, under the ministry's own guidelines it says that the Ministry of Natural Resources will preserve the integrity of the lake and safeguard the water. Not only does Ontario ignore other provinces, it ignores its own guidelines.

Mr McLean: Mr Speaker, could I have unanimous consent to make a statement concerning National Burn Awareness Week?

The Speaker: Is there unanimous consent?

Agreed to.

SHRINE CLUB OF NORTH AMERICA

Mr McLean: My statement concerns a move by the Shrine Club of North America to educate the public about burn prevention and reduce the human suffering caused by fire. The Shriners have established a network of 19 orthopaedic and three burn hospitals that provide the most up-to-date care and treatment and have budgeted \$238 million for this year.

For example, when young Joe Phillion was critically injured in a fire at his home in the Orillia area, he was flown to the Shriners Burns Institute in Boston, even though there was little hope that he would recover from the severe burns to 95 per cent of his body. But today, thanks to the Shriners, he is back on the road to recovery at home.

The Shrine Club of North America is currently working with the federal government to establish the second week in February each year as National Burn Awareness Week in Canada to focus public attention on these tragic injuries. Burn injuries in Canada rank among the highest in the world and are one of the leading causes of death in this country. Children, the elderly and

the disabled are groups most likely to suffer from serious burns. Injuries and loss of life could be reduced by increasing the general public's awareness of the need for smoke detectors and home fire-escape programs.

Like the Shriners—in fact, I am one myself—I sincerely believe there is an urgent need for a national education and prevention program to curb the loss of life and financial hardship caused by fires. I strongly urge the members of this Legislature to throw their support behind the Shrine Club's effort to lobby the federal government to proclaim the second week in February each year as National Burn Awareness Week, because it is estimated that 75 per cent of all burns could be prevented by increased public awareness and proper education of children and adults about these tragic injuries.

I would like to take this opportunity to make my colleagues here in the Legislature aware of the upcoming invasion of Toronto which will see more than 90,000 Shriners converge on the capital of Ontario for the largest convention in North America's history, from 2 July to 7 July. The Shrine has a serious side, as we all know. For example, since the Shrine opened the first hospital in 1922, Shriners have been active in helping those youngsters who because of birth defects or accident have not had the opportunity to enjoy the fullness of a child's life.

The goals of the Shrine are simple. Those goals involve helping a crippled child to walk or a burned child to recover by providing the best possible treatment free of charge to all regardless of race, creed or relationship to a Shriner.

I have already mentioned the network of orthopaedic and burn hospitals that have been established in North America and I have already told you about the heartwarming story of Joe Phillion. These facilities could not exist without the generous support of the people of this continent who have contributed through their paid attendance at Shrine circuses, by purchasing Shrine Christmas cakes, by taking part in the gala auction, through their paid attendance at Christmas fantasy shows—the list of such events is endless.

The Shrine has provided substantial funds for specialized equipment and transportation of children for treatment at Shrine hospitals and local community health centres throughout North America. On 25 June just past, Toronto Shrine temple gave the Hospital for Sick Children \$1 million for a new patient care centre to be known as the Rameses burn unit in recognition of the Shriners' generosity.

The kettle is boiling and the lid is all ready to blow. More than 90,000 Shriners are coming to Toronto. We want the public to ask, "Who are the Shriners and what do they do?" I think they might want to be aware of some facts relating to the 115th imperial session, which will inject more than \$80 million into the Toronto economy. More than 22,000 rooms will be rented. The Shrine convention is bigger than the Olympics. More than 1,000 pipers will be in attendance and Toronto Islands will host more than 400 Shrine boaters. The largest parade in history, spanning more than 14 hours, will wend its way through the streets of the city and more than 450,000 people are expected to attend.

I would like to take this opportunity to alert the public that the Shriners will be here. They are eager and willing to share. In conclusion, I would like to remind members of the Shriners' motto, "No man stands as tall as when he stoops to help a child."

Mr Keyes: I am pleased to rise in the House today and support, on behalf of the government, the concept of a National Burn Awareness Week. In so doing we must recognize the contributions of many agencies, groups, service clubs, of organized labour and particularly the Shriners. The Shriners are known throughout North America and the world as supporters of burn units for hospitals.

On 25 June it was my pleasure to represent this government at the dedication ceremony for the Rameses burn unit at Sick Children's Hospital here in Toronto. The Shriners generously donated \$1 million to this unit, which is due to be open in 1992. I would like to pay tribute to these fine gentlemen who over the past three years across this province have worked so hard to raise \$1 million and contribute so much to such a worthy cause.

I would also like to take this opportunity to commend the courage of Joey Phillion, the 15-year-old Orillia boy who was severely burned last year. Joey was on hand on Sunday at Sick Kids to participate in the dedication ceremony. It is truly inspiring to see the courage and determination of this young man. But it is also extremely important to pay tribute to all of the professionals, the doctors, nurses, therapists, counsellors and all those who render assistance and play so vital a role in assisting the healing of burn victims.

I feel it is essential, as has been referred to by the honourable member, when addressing the proposed burn awareness week to stress that many burns can be prevented. Awareness is the

key. Therefore this government is pleased to support the concept of declaring a National Burn Awareness Week.

1350

Mr Reville: On behalf of the New Democratic Party I am happy to associate our party with the sentiments so ably expressed by the member for Kingston and The Islands (Mr Keyes) and the member for Simcoe East (Mr McLean).

Had I been the speaker, Mr Speaker, I would have said yes to the hats. I have always been very fond of Shriners' hats. In fact, I only know one Shriner joke. I am being advised strongly not to tell this joke, but it is not that kind of joke. Members will not be as excited as they think they will be.

But it will be advisable for them to pay attention, because there is going to be a humongous parade. If members find they have to get somewhere in the city and the parade is blocking their way, they should make a sign and write, "Past participle" on it, put it on the side of their car, get in the parade and off they go.

Since 1922, as other members have stated, the Shriners have been busy building hospitals all around—22 hospitals I understand, for crippled children, 19 orthopaedic units including a very famous orthopaedic unit in Montreal and three burn units, including a world-famous burn unit in the Boston Hospital, which I have visited. I understand Shriners raise an astounding \$232 million each year to support the activities of their facilities.

On Sunday, the local Rameses temple announced a \$1-million donation to the Hospital for Sick Children. That will be part of their capital fund to outfit the new burn unit, which will be called, after the local temple, the Rameses burn unit. That temple has raised over \$3 million in the last two years for the Montreal hospital, its share of the Sick Children's capital fund and medical care and transportation for Canadian kids and their families who need assistance going to a Shrine hospital in the United States.

Their convention director, Peter Rhodes, said, "There are no cash registers in a Shriners' hospital." Although for Canadians the importance of that fact may be somewhat obscure, it is not at all obscure in the United States where, in fact, sometimes there are hospitals with cash registers. We must say, "Welcome Shriners. Thank you for your good works. Enjoy our city."

Mr McLean: A point of personal privilege, Mr Speaker: It is very brief. I would like to introduce two Shriners who are in the gallery today, Don Burnard, chairman of the Canadian

burn awareness program, and Rae Gorman. Both are members of the Mocha temple in London.

ORAL QUESTIONS

PROPOSED POLICE COMMISSION APPOINTMENT

Mr B. Rae: I would like to ask the Premier a question following up on some questions I asked him yesterday. He said he would try to refresh his memory and look at the record with respect to the progress of Elvio DelZotto's name through the mill for appointment as a member to the Ontario Police Commission. The Premier said he could not tell me exactly when the decision was made not to appoint Mr DelZotto.

I want to specifically ask the Premier this question today. He will know there is a very specific allegation, or statement, in the Toronto Star that the Premier had a meeting with the deputy commissioner of the Ontario Provincial Police, Bill Lidstone, in the summer of 1986 to caution the Premier against the government appointing Mr DelZotto.

I want to ask the Premier, did he meet, at any time, either with Mr Lidstone or with any other officials from the Ontario police force or from the police commission. Did he have any meetings with respect to the possible appointment of Mr DelZotto?

Hon Mr Peterson: Just so we get the dates in perspective, I checked, and it was May 1986 that this matter went on. The answer to the member's question is, absolutely not. The suggestion, the allegation, is 100 per cent false. There were no meetings by me with any member of the Ontario Police Commission or policemen with respect to this matter.

Mr B. Rae: Since that statement is incorrect, perhaps I could then ask the Premier whether he can tell us if any other members of his cabinet have had any such meetings with any members of the police, or if he has determined whether that took place.

Hon Mr Peterson: To the best of my knowledge, no. The Attorney General (Mr Scott) did not; I did not; I do not believe the former Solicitor General did. To the best of my knowledge then, from what I know now, the answer to that is no.

Mr B. Rae: Can the Premier then tell us precisely who recommended Mr DelZotto to the government? And can he confirm in fact that there is a letter where Mrs Starr referred Mr DelZotto's name to the government?

Hon Mr Peterson: Yes, that is indeed the case. I believe it was dated 6 May 1986. It was a letter from Mrs Starr to the Attorney General at that point.

There was a suggestion as well that the Solicitor General at that time recommended Mr DelZotto to the police commission. That is not true. There was no recommendation from the member for Kingston and the Islands (Mr Keyes) at that particular point, nor was there any recommendation from the Attorney General on that matter.

So it was not a question of giving it great, long consideration and turning it down. It was like many other suggestions that come forward from people. Lots of people write me letters, either to propose names or to propose their own names. Sometimes we take the advice and sometimes we do not, but the only record we have of that is a letter from Mrs Starr to the Attorney General.

RENTAL HOUSING PROTECTION

Mr B. Rae: I have a question to the Minister of Housing. She will know there are a number of buildings which have been built with government money under various government programs which were established even before the Liberals took power. I wonder if the minister can tell us what the criteria are under which her ministry would grant an exemption to the Rental Housing Protection Act, and allow for the registration of such buildings, built with public funds, as condominiums and not as rental apartments.

Hon Ms Hošek: The registration of new buildings as condominiums is done by the Ministry of Consumer and Commercial Relations. I do not fully understand. If there is an example the member wants to raise, I would be happier to answer that.

Mr B. Rae: I do happen to have such an example, the minister will be surprised to hear.

Hon Mr Scott: You don't even know how to run a sandbag operation, Bob. Three years at law school, and he can't set up a question yet.

The Speaker: Order.

Mr B. Rae: I appreciate the advice from the Attorney General, as always.

I wonder if the minister can explain why a property built with public money received an exemption. It was given money under the Canada-Ontario rental supply program in 1985. It produced 200 units at 295 Dufferin Street.

Hon Ms Hošek: I am afraid I am not going to be able to answer the part of the question having to do with the Canada-Ontario rental supply

program, because that program was not in place when I was minister, but I can tell the member the criteria under which a building that is about to be registered as a condominium could be exempted from the Rental Housing Protection Act.

It has always been a policy of the ministry that, where evidence can be shown that the building was supposed to be registered as a condominium, and when it is already in the condominium registration process, that building would not be covered by the act. In fact, on 9 October 1986, a general provision was included in the regulations of the RHPA to exempt new buildings from the RHPA where an application for condo approval has been made.

Mr B. Rae: Perhaps the minister can explain this conundrum. On 24 July 1986, the government published its very first regulations under the Rental Housing Protection Act. The only unit that is mentioned in that regulation—there is a special schedule for that property alone—is the property at 295 Dufferin Street, which property is owned by 501606 Ontario Ltd, whose sole director is listed as Martin Applebaum and whose previous officer since the last notice, who has been but is no longer an officer, is Elvio DelZotto. Can the minister explain why there was a special regulation that was passed by her government in 1986 for a DelZotto company?

Hon Ms Hošek: Let me tell the member opposite the process at the time. There was an application to the Ministry of Housing. Proof was required, documentary evidence that the intent of the new building was for a condominium. The process was followed and an application was made.

1400

Mr Reville: Who gave that evidence? Patti Starr?

Hon Ms Hošek: I know the member opposite is interested in the answer to this question and I am trying to answer him to the best of my ability.

The process was followed. An application, as I understand it, was made for condominium status before the building was ever completed. There was clear intent and there were documents to support this, and that is why it was exempted from the Rental Housing Protection Act. Let me remind the member that there was on 9 October 1986 an exemption for all new buildings in this situation. Let me also say to the member that no changes in this aspect of the Rental Housing Protection Act have been proposed in the current version in the act that is going to forward as Bill 211 in this House.

PATRICIA STARR

Mr Brandt: I have a question to the Premier. On Friday the Premier held a press conference to announce the fact that there would be a public inquiry on the part of his government. He made it very clear. In fact, I made the mistake of complimenting him that day with respect to the speed that his government was reacting. On Monday, the Attorney General (Mr Scott) came into this House and indicated that the public inquiry is going to be delayed as a result of certain elements of the Charter of Rights, as well as the Ontario Provincial Police investigation.

I would ask that this question not be referred again to the Attorney General, but I would like to ask the Premier whether he had any discussions with the Attorney General prior to his announcement in regard to the inquiry that he was going to call at the press conference on Friday.

Hon Mr Peterson: Indeed, I did.

Mr Brandt: Did the Attorney General then advise the Premier that there would be these delays? If so, in response to questions from the media, why did he not indicate that the OPP investigation would delay the inquiry or that there was a question in his mind about the Charter of Rights, if the Attorney General was giving that advice to him at that time?

There were very specific questions raised by the media at that particular session. His response was that: "This matter is going to get under way immediately. We want to get to the facts. We want to get to the root of the problem. We want to get everything on the table." That is not what is happening. I ask the Premier what changed between Friday and Monday?

Hon Mr Peterson: I think my honourable friend's question is based on incorrect information. Indeed, I did take advice from the Attorney General. He told me exactly what he told the member yesterday and before and after. I know there is some problem opposite understanding it, but I think he has laid it out very clearly. I discussed the same thing in the press conference. I was asked about this. I said that I would hope this would get under way immediately, but I also recognized there could be charter questions and all of that kind of thing.

If my honourable friend is standing in this House and saying we should not have a public inquiry, he should go ahead and say it. That is fair enough, but we announced the public inquiry to move as quickly as the commissioner can move in the circumstances. He or she will make a determination based on independent judgement.

Surely that is what the Attorney General has said to the member and it is not that difficult to understand.

Mr Brandt: I really do not need a lecture from the Premier with respect to what I understand and what I do not understand. I can tell him that I listened carefully to his words on Friday and I listened very carefully to the words of the Attorney General on Monday. There was no indication of this lengthy delay that we now appear to be getting into as a result of the encumbrances that have now been identified by the Attorney General.

Why did he not clearly identify on Friday the fact that there were going to be delays? He should not put words into my mouth about whether I want an inquiry. I called for an inquiry a week before he acted on it.

The Speaker: Question?

Mr Brandt: The fact of the matter is we want an inquiry now. Why will he not hold one?

Hon Mr Peterson: My friend is trying to have it all three ways. My friend calls for an inquiry every day in this House. That is okay and I look forward to the inquiry. I think a number of his colleagues are going to look forward to testifying. We all should: anybody who has any information on this matter. I have no problem with that. Let me say to my honourable friend, we think there should be an inquiry into this matter. There is a police investigation under way. The commissioner will make judgement—I said this in the press conference and the member may want to check it out—subject to any charter challenge or any other things that may go on.

We could have taken his advice then and held back until all the police investigations were finished and then we could have had an inquiry, or we could have taken the police out of there, if that is possible, and had the inquiry without a police investigation. I am sure that if the member took legal advice from his very esteemed colleagues on the front bench he would understand how the process works, how we have to protect rights; but we are determined to get to the bottom of it. I think that is not a problem.

Interjections.

The Speaker: Order.

Mr Brandt: My question is to the Premier. Can the Premier confirm that, within the last 24 hours, with his knowledge and under his direction, three calls were placed from his office by his staff? One call went to Elvio DelZotto, suggesting that he resign from the Ontario Arts Council; one went to Marlene DelZotto, suggest-

ing that she resign from TVOntario; and one went to Angelo DelZotto, suggesting that he resign from the board of Sunnybrook Medical Centre.

Hon Mr Peterson: I am not sure that those three calls were made, but certainly those suggestions were made in one call, if not in three.

Mr Brandt: It is interesting to note that in the case of at least two of the individuals—

Hon Mr Scott: Are you moonlighting on the switchboard, Andy?

Mr Brandt: We have our sources and the Attorney General (Mr Scott) has his.

Let me just say that when the Premier is asking for three resignations in this particular instance, it appears that he is labelling these people as guilty by association. Why would he be encouraging—

Interjections.

The Speaker: Order.

Mr Brandt: My supplementary is: What would move the Premier to ask for the resignation of Marlene DelZotto and Angelo DelZotto, since I do not believe, to the best of my knowledge, there have been any comments in this House or outside of this House with respect to those two individuals?

Hon Mr Peterson: It is because there is an investigation going on, and the sense was that it is appropriate for everybody to step aside until it is appropriately determined. My honourable friend, who is a master at making suggestions and allegations, is now coming to their defence.

He wants an inquiry; he does not want an inquiry. This time, he wants the people there, he does not want them there. It is like him and his spending remarks. He wants to spend it, but he does not want to raise the taxes. He cannot have it both ways all the time. Our position is very clear and his is just muddified all the time.

Mr Brandt: I can fully understand the Premier's attempting to distance himself from certain individuals at this time, but he makes some very selective choices in the way in which he proceeds with respect to the call for certain resignations and for certain people to step aside.

It is interesting that he has members of his cabinet with very direct links to Mrs Starr whom he has not asked to step aside, and yet he has asked at least two out of the three individuals I have named for him today to step aside, I suppose out of a courtesy to him because there may be some blemish on him as a result of these people serving. What have these people done wrong? What does the Premier know of that they have done wrong that has moved him to the point now

where he is asking them to resign from their particular posts? And I might answer, in one particular instance it happens to be a hospital appointment over which he has no control.

The Speaker: Order. The member has already asked two questions.

1410

Hon Mr Peterson: The member is wrong on several counts, such as when he stood up in this House and made the charge about shredding taking place, which he has never substantiated.

Mr Brandt: Have you substantiated that it didn't take place?

Hon Mr Peterson: The member should let me answer. The answer is, yes, we have checked into the matter at great length and we have no knowledge of anybody shredding any papers of Ontario Place. I say to my friend with his secret sources that he should stand up and tell us who said we are shredding.

As I said, I understand this supercharged atmosphere and I understand that someone like him can stand up and say anything he wants and think he can get away with it and make a lot of irresponsible statements. We try to be as tolerant as we can about that. If he has any suggestions or allegations, they will be tracked down by independent authorities, but I think that does not prevent him from exercising his responsibility in this matter as a legislator and as a man of honour. He has certain responsibilities too which, to this extent, he has not exercised.

Interjections.

The Speaker: Order. New question.

Mr B. Rae: The Premier has said the reason he has asked for these resignations is that the people are under investigation. If we waited for the room to clear while everybody who was under investigation had to leave, we would be waiting for quite a long time.

The question I have for the Premier is this, and this is what really troubles me as I am sure it troubles some other people, why is there a different standard? I asked this question yesterday when he said what he said about Elvio DelZotto. I will ask it again. He has members of his cabinet who are not simply under investigation, but who have themselves made admissions.

In the case of the Minister of Culture and Communications (Ms Oddie Munro), she has admitted frankly and clearly that she referred her own mother's name to Mrs Starr, and a \$5,000 payment was made to her mother. For what, we do not know because to this date we still have not seen this alleged survey that has been floating

around for months now. We still have not seen one single copy of this survey.

I want to ask the Premier, why does he have a different standard for members of his own cabinet than he has for the DelZotto family? Why is the standard so different?

Hon Mr Peterson: I answered that question yesterday, and I will answer it again.

Mr D. S. Cooke: No, you didn't.

Hon Mr Peterson: Yes, I did. The member might not like the answer, but I answered it very clearly, about the process that is going on, and I stand by that.

Mr B. Rae: There is a process of a public inquiry to which a judge has not yet been named, whose terms of reference have not yet been decided, and before it is even established the Premier has asked for the whole DelZotto family to be gone. He does not know them. He knew them before, but now he does not know them.

The Premier has members of his own cabinet. He should look around him and ask himself the question, are they not under investigation? Have there not been allegations with respect to their association with Mrs Starr? Why does he have a different standard for them than he has for the DelZotto family?

Hon Mr Peterson: My honourable friend, who on the one hand has stood in this House on many occasions and slandered that family—

Mr Wildman: Slandered?

Hon Mr Peterson: Outside of this House, he has referred to this party in Italian as the DelZotto Party. He goes outside in other languages and tries to inflame people. He should not stand on his moral rectitude here in this House now and start changing it. Let me tell the member that we have opened this up to a process for everybody to see.

My friend takes great umbrage when someone suggests he may be wrong in the circumstances, but he stands every day hurling charges the likes of which I have never seen before from him. He has decided to do that, and then he whines like a puppy when somebody says it back to him. Let me tell my friends that it is all there for everybody to see. They can see it and the public can see it. They will make their own judgements on it.

Mr Reville: Mr Speaker, on a point of order.

The Speaker: Do you have a point of order?

Mr Reville: Perhaps the Premier will think about it himself.

The Speaker: Order. I listened carefully to the Premier's response. He did use the word and

accused another member of slander. Would you withdraw?

Hon Mr Peterson: I withdraw.

The Speaker: Thank you. New question.

Mr Harris: I would like to put into perspective what the Premier has done. Because of questions surrounding Elvio DelZotto's role in the Patti Starr affair, he instructed one of his staff to call Mr DelZotto's wife, or Mr DelZotto to relay the message, and suggest to her that she may want to resign from her government-appointed position at TVOntario.

To use an analogy, I would suggest to the Premier that is like the opposition, concerned about the activities of the member for York Mills (Mr J. B. Nixon), suggesting the member's wife resign from her position of executive assistant to the Minister of Skills Development (Mr Curling), something that I would say is totally inappropriate. I cannot imagine any of the opposition parties making this kind of association.

The Speaker: And the question?

Mr Harris: Can the Premier tell us when guilt by association became the mode of operation of his office?

Hon Mr Peterson: If anybody is a master of guilt by association, it is that member and my friends opposite. We go through this every day. The sense was: "This is just to save embarrassment. I am not going to prejudge this matter, but it might be better to step aside pending the resolution of this whole matter." That was the reason it was done.

Mr Jackson: Quit embarrassing yourself. You're holding the position of the Premier of this province. Straighten up your answers. Have you no pride, David, with these kinds of answers? You're the bloody Premier, for Christ's sake.

Hon Mr Scott: Okay, Cam, it's your turn. Why don't you be led bodily from the House?

Interjections.

The Speaker: Order. I think it is probably time for the Speaker to remind all members that this institution has many traditions. All members are considered honourable and I hope you would conduct yourself in the proper manner.

Mr Harris: Like all—

Hon Mr Scott: I did it yesterday. The Premier did it today. You haven't got the guts or the manners to do it.

Mr Jackson: Outside.

The Speaker: Order.

Hon Mr Scott: Do it. Not outside. Do it here with the members. What a gutless performance that is.

The Speaker: Order.

Hon Mr Scott: Are you going to do it or are you not? You are not going to do it.

The Speaker: Order.

Hon Mr Scott: Even I do it. Even Rae does it. Even Peterson.

The Speaker: Order, the Attorney General.

Mr Harris: Like all members, I have watched this Patti Starr-Tridel affair unfold with interest, but with sadness as well. I want to tell the Premier that the villain, in my eyes, is not Mr DelZotto, not his wife and in fact not Patti Starr. It is the Premier of this province. It is the Premier who refuses to set any standard or conduct for his government or cabinet ministers, and now, with what we have heard he has done last night, we appear to see why.

It is how the Premier acts. It is guilt by association. It is a secret phone call from staff telling people to get out, and why? "Because you are embarrassing the Premier because of your name."

The Speaker: Question.

Mr Harris: Can the Premier tell us or give us one moral or ethical reason that he believes the action he took with Mrs DelZotto was possibly justified?

1420

Hon Mr Peterson: I think I answered that question. It is because of the allegations made in this House and in newspapers by people like the member and his colleagues regarding the entire family. The sense was that it would be most appropriate in the circumstances to do that. I do not think there is anything strange or weird about that. I am delighted to see my honourable friend change his view on this matter and cry crocodile tears, which is something new for him.

DEVELOPMENTALLY HANDICAPPED

Mr Daigeler: My question is to the Minister of Community and Social Services. As the minister knows only too well, despite some very major advances in his ministry after the Social Assistance Review Committee reforms, which were applauded even by the opposition parties, many challenges remain, which certainly we on this side are prepared to meet in the future, even though the opposition does not want to raise them.

One of these needs is support for mentally handicapped adult people. Up to the age of 21, the school system and various community groups respond well to the training and recreational needs of the mentally handicapped, at least in the Ottawa-Carleton area. However, the situation changes quite significantly when the school years are finished. Can the minister advise this House what services are presently in place to ensure a smooth transition from school to community living and whether he has any plans for service improvements?

Hon Mr Sweeney: Two years ago, I brought to the attention of this House a multi-year plan for community sports for developmentally handicapped citizens of this province, whether they were living by themselves or with their families. During the past two years, my ministry has increased its funding for that initiative by \$63 million, and during those two years we have put in place an additional 750 new residential spaces, for both people living in the community and those coming out of institutions. We have also put in place over 2,200 new units of support for families and individuals across the province.

In the member's own area of Ottawa, we have identified 55 young people who will be graduating from school this year and funds will be put in place in the Ottawa office to provide day programming for them, which will include respite care for their families, transportation support for those families and a range of day programs for those 55 young people.

Mr Daigeler: The minister may know that there was a recent meeting of concerned parents in the Ottawa area. The suggestion was made there to establish a special task force to look at the situation of adult mentally handicapped people. This task force would examine the problems in not only the Ottawa area but perhaps other parts of the province as well. Such a task force could take a look at what is being done already and suggest further steps ahead. Has the minister received this request, and is he prepared to act on it?

Hon Mr Sweeney: About three or four weeks ago, I received a letter from a parent of a developmentally handicapped young man in the Ottawa area suggesting what the honourable member has just described. I have since been in touch with my ministry officials in the Ottawa area and have been advised that they have already begun to work on long-term planning with some parents for those 21 years old and over.

As a matter of fact, it is my understanding the first meeting between a parents' association and

staff of my ministry will take place tonight in Ottawa. There will be two main agenda items. The first one will be, what should the membership of the task force be? and the second one, what should its terms of reference be? I am hopeful there will be agreement on those two items this evening and that the project can move forward.

VISITOR

The Speaker: Before I recognize the next questioner, I would like to inform all members that we have a guest in the Speaker's gallery from the Bahamas, the Minister of Health, Dr Norman Gay. Please join me in welcoming our guest.

POLITICAL CONTRIBUTIONS

Mr Reville: My question is for the Premier. Yesterday, in response to a question from the member for Carleton (Mr Sterling), who wanted to know whether the Premier thought it was appropriate for taxpayers' money to be used to reimburse officials who attended a Liberal fund-raising event, the Premier said, "The honourable member could ask the question of, say, a hospital board, charities or any other kind of quasi-judicial body. Frankly, if he wants my opinion, it is not appropriate and I do not think we should allow that." Why then did the party of which the Premier is the leader, during the period of 1985 through 1988, accept donations from 14 different hospitals?

Hon Mr Peterson: I do not deny that what my honourable friend was saying is correct. I am not aware of that and I think it is obviously a question we want to review. I think my honourable friend is not saying that is illegal. I do not believe my honourable friend is saying that. It is perhaps permissible under the law as it presently exists, but we want to review that law and perhaps change that. I think we should discuss it with our colleagues. But I do not sit there and supervise every donation.

Mr Reville: The Premier would be interested to know that some of the hospitals that made donations are those that have serious financial problems, including the Wellesley Hospital which donated \$2,000 to the Liberal campaign in 1985, and the Victoria Hospital, which he will know, which donated \$1,600 in 1987. There are 12 other hospitals, including the Hospital for Sick Children this year which donated \$1,500.

I am not suggesting these contributions are illegal, but given the Premier's views of yesterday that it would be inappropriate to accept them, what kind of standards does this Premier have?

Does he have to accept these donations or should he not send them back to hospitals that need them?

Hon Mr Peterson: According to my honourable friend's facts, they were made when we were in opposition. Presumably they—

Mr Reville: In 1987?

Hon Mr Peterson: The member said 1985; that is what he said. I say to my friend that presumably, if that is the case, they might be in his records as well; they may be in the Conservatives'. I have no idea about that. But I think it is one of those matters that collectively we should review. We should review all the questions about donations and that kind of thing.

If my honourable friend has advice on how to do it, that is fine. He can crawl through our fund-raising—it is all public for everybody to see—and see if it is appropriate. We could go through his and we could ask if it is appropriate of his party or anybody else. But as far as I know, the Commission on Election Finances has passed judgement on what is there and is not uncomfortable with it.

SALE OF PREMIER'S FAMILY BUSINESS

Mr Runciman: My question is for the Premier and deals with his relationship with a Mr Marco Muzzo, a man who testified before a royal commission that he was not opposed to the general practice of bribery. Given that this man, Muzzo, was involved in the 1987 purchase of the Peterson family business, is the Premier prepared to release all relevant financial details surrounding that transaction?

Hon Mr Peterson: I can tell my honourable friend that I was not involved in that, only because all my shares were in a blind trust in that matter. But let me say that I am not aware of anything untoward in that situation. If the commissioner wants to review it, I am very comfortable. Let him or her review it.

Mr Runciman: Given that the Premier has personally met with Mr Muzzo to advise him on political strategy and to achieve business goals, and given that Mr Muzzo and his associated companies donated at least \$120,000 to the 1987 Liberal election campaign, will the Premier today agree to broaden the terms of reference of the Starr judicial inquiry to include an examination of the sale of his family business, and if not, why not?

Hon Mr Peterson: If his leader has ideas on how to broaden the terms of reference, he is having a meeting with the Attorney General (Mr

Scott) to do so. I can tell my honourable friend that I have read about some of the things he has read about. I only read in the newspaper that he was somewhere remotely involved in one of the companies involved in the whole matter.

I say to my honourable friend that he stands up and makes these charges about bribery and all this kind of thing and he uses all those terms very loosely, but let me say to him that he is being quite promiscuous with his use of words in this matter and let me say that it is not right. If there are any allegations of anything wrong, I can tell him that my situation will bear up to any scrutiny.

1430

HYDROELECTRICITY

Mr Adams: My question is for the Minister of Energy. There is great concern across North America at the present time about air quality. I know that the minister is considering ways of meeting the expected increase in demand for electricity for the 1990s, and it seems to me that it is extremely important to develop and use that electricity in as environmentally safe a way as possible. Can the minister tell the House what steps are being taken to develop our remaining water-based electricity potential?

Hon Mr Wong: Let me begin by saying that the honourable member is quite correct when he suggests that we have very little cost-effective water power potential in the province.

A few years ago, Ontario Hydro, with the support of the Ministry of Energy, announced that it would investigate the feasibility of developing hydroelectric generating stations at 17 sites, with the potential to produce a total of possibly 2,000 megawatts of peak power. Then in 1985, Ontario Hydro's board of directors further approved the study of hydroelectric development on the Niagara River, Little Jackfish and Mattagami rivers.

The government believes that these cost-effective water power sites should be developed, provided that all affected groups are consulted, including the native communities, and it is our intention that these sites would be developed in an environmentally acceptable way.

Mr Adams: In my riding there is a great deal of interest in developing small hydro sites. A number of our institutions are interested in getting into that. Could the minister tell the House how he intends to encourage the generation of electricity, particularly hydroelectricity, from sources other than Ontario Hydro?

Hon Mr Wong: I hope that within the next few weeks, before the House rises, whenever

that is, to be able to make public the government's new parallel generation policy. One of its prime goals will be to reduce the barriers in order to encourage a viable and a healthy private generation sector.

I might add that today there is less than one per cent of the total generation in the province that comes from the private sector, otherwise known as parallel generation. It is our hope that the 1,000-megawatt target of Ontario Hydro could be met before the year 2000 and that an additional 1,000 megawatts could be achieved; 2,000 megawatts of parallel generation in this province would be equivalent to approximately eight per cent of the total.

In conclusion, let me say that the development of electricity from the private sector is good, because these projects involve lower capital outlays, shorter time frames and diversification to our electricity system. I might add that in some cases these projects are ones that can be better developed by the private sector—

The Speaker: Thank you.

RENTAL HOUSING PROTECTION

Mr Breagh: I have a question for the Minister of Housing. Could she explain to us how she allowed almost \$3 million of government money to go to the Tridel Corp in the project at 295 Dufferin Street? How did she allow that money, which was specifically earmarked for affordable rental housing, earmarked and funded to the tune of almost \$3 million?

Why did her government then turn around in 1986 and exempt it from the Rental Housing Protection Act, which would effectively make that affordable rental accommodation be turned into condominiums? Why did the minister thwart the previous efforts of a government to fund to the tune of \$3 million a project which she subsequently made into condominiums?

Hon Ms Hošek: I would like to answer that question to the best of my ability, and I have to say, as I said to the member's leader, that I do not know much at all about the Canada-Ontario rental supply program and the way it worked in that building. I undertake to find out for the member and let him know.

This is what I do know about. It has been the policy under the Ministry of Housing and under RHPA that where there has been evidence that there was clear intent to register a new building as a condominium and where it is already going through the process of being registered as a condominium, it will be exempted from the Rental Housing Protection Act. In fact, on 9

October 1986, that regulation actually was put into the Rental Housing Protection Act as a norm.

The member opposite will know also that the new legislation in front of the House right now has exactly that aspect of the RHPA in it as well, and there has been no proposal to change it. So if a building already is being registered as a condominium with the clear intent for it to be a condominium, then it is indeed exempted under the Rental Housing Protection Act. That is what I can tell the member about it.

Mr Breagh: I think it is reasonable for the public at large to be confused when there is a Canada-Ontario rental supply program giving a company in the private sector almost \$3 million to build affordable rental accommodation. We know that it can be registered as a condominium but in this particular instance, the company needed the ministry's assistance to provide it with an exemption under the regulation.

There are many of us who do not like the idea of these hidden condos, but why in this instance would the minister take a deal with a company in the private sector which gave it \$3 million, and then turn around and provide it with the first single exemption which would allow it to register the project, not as affordable rental accommodation but as condominiums?

Hon Ms Hošek: In my previous answer to the member I undertook already to look into the whole question of the Canada-Ontario rental supply program and the way it works in this case. I will be glad to do so.

But let me tell the member again, in regard to the Rental Housing Protection Act aspects of it, that a process was gone through including required documentary proof that the building was intended to be registered as a condo. That is the process that was followed. I will undertake to give the member the answer about the rental supply program as soon as I can.

METROPOLITAN TORONTO HOUSING AUTHORITY

Mr Harris: I have a question for the Minister of Housing. Could the minister tell us on whose recommendation John Sewell was fired?

Hon Ms Hošek: Let me tell the member opposite that the decision not to reappoint Mr Sewell was made after a great deal of consideration by a large number of people. It was a very careful decision and it was made because it was decided that for the future of the Metropolitan Toronto Housing Authority the best person to

carry on was the member who is currently the chairman of MTHA, Jean Augustine.

Mr Harris: I wonder if the minister could confirm two things. One, her response seems to suggest that the reason Mr Sewell was fired was that she had somebody else in mind who she thought was better.

Hon Mr Scott: He wasn't fired. He served his full term.

Mr Breaugh: Ian, you should be not fired too.

Hon Mr Scott: If you serve your full term, you're not fired.

The Speaker: Order.

Mr Harris: Maybe the Attorney General (Mr Scott) heard something different from what I heard. I would be glad to waive the rules and let him ask a question if he wants. He seems anxious to get into the fray today.

Interjections.

The Speaker: Probably you could place the second part of your supplementary.

Mr Harris: The way I heard her, the minister indicated that the reason Mr Sewell was fired was that she thought she had somebody better to replace him. I wonder if that is exactly what she said.

Second, can the minister confirm that those who appeared to be most unhappy with John Sewell were in fact those involved with the Tridel Corp and the controversies it had? Then Mrs Starr was appointed, then Sewell was fired. Is that not the sequence of events?

Hon Ms Hošek: First, let me make a very obvious point. Mr Sewell, who was the chairman of Metro Toronto Housing Authority, served his full three-year term as chairman of the MTHA. That is clear and I am glad the member opposite is able to hear that.

The decision about whom to appoint as the new chairman of the MTHA was made after deliberate consideration of who the best candidate was, and that is why that appointment was made. The version of the story that the member would like to propose is not the case.

Mr Reville: How many years was it?

Hon Ms Hošek: Three.

Mr Reville: Wasn't it two?

The Speaker: I did not ask for a supplementary.

1440

SOCIAL ASSISTANCE

Mr Neumann: My question is for the Minister of Community and Social Services. On 18 May,

the minister announced to the House the progress under his ministry with respect to the Social Assistance Review Committee recommendations. These reforms were met with wide support, both in the House and in the community as a whole. I have had some questions from constituents in my community about the timing of the implementation of his announcements. How is the implementation coming along and are we going to meet the target dates that have been set?

Hon Mr Sweeney: There were three main announcements. One had to deal with improving the salaries of community workers with whom many of our recipients work. The beginning of that program will be 5 September of this year. The second announcement had to deal with increases in children's benefits and enhanced employment support benefits. Those initiatives will begin on 1 October. The third one had to deal with the shelter support increases and the rate increase, and those will take place on 1 January.

Mr Neumann: When the report was first released, it was stated that all of the recommendations needed to be seen as a whole. The province cannot implement all of the recommendations on its own, because several lie outside of its jurisdiction. I would like to ask the minister, when will we see action on subsequent phases which require co-operation of municipalities, other provinces and the federal government?

Hon Mr Sweeney: Before some of those initiatives can begin, there must be changes in legislation with respect to our Family Benefits Act and our General Welfare Assistance Act. That comprises phase 2 of the report and those changes have already begun, because we have appointed three full-time staff people to begin drafting the new legislation. So that is already under way. With respect to the next three stages dealing with children's benefits, disability benefits and income subsidies of the working poor, the report clearly indicated that these had to be national initiatives and not provincial.

I have already met with my provincial colleagues from across Canada and have received their unanimous support for these. I have met once with the federal minister and have indicated that we would like to have a meeting to discuss these further. At the last meeting with my provincial colleagues, we did receive a letter from the federal minister saying that he was prepared to meet with us within the next few months.

CHRONIC CARE

Mr D. S. Cooke: I have a question to the Minister of Health. Since I raised the question with the minister about the chronic care hospital in Windsor last week and she has had the opportunity to talk to her bureaucrats and consult with her members, can she confirm what her ministry spokesman, a David Jensen, said to the Windsor Star, that the chronic care hospital that was promised by the Liberal Party in the 1985 election, announced by the former Minister of Health in 1986 and repromised in the 1987 election, is now on hold?

Hon Mrs Caplan: I want to be very clear in answering this question to the member for Windsor-Riverside. We are committed to meeting the needs of the people of Windsor, as we are to meeting the needs of the people of this province.

Mr D. S. Cooke: That is an absolute attempt by the minister not to make anything clear, but to deliberately make the whole situation unclear. The people of our community have raised \$11 million locally towards this hospital. The government promised the hospital in 1985; it promised the hospital again in 1986, and it promised the hospital again in 1987. Is the minister going to build the new chronic care hospital, is she going to fund it, and if so, when? Why can the minister not just be clear and say yes and give a date?

Hon Mrs Caplan: I have answered the questions from the member for Windsor-Riverside before and I know he has some difficulty in understanding, so I will try again.

He knows that there are a number of projects across this province which are currently in the planning stage. He knows that those projects appropriately and rightly so are under review. He knows that our focus is on delivering the services that our communities need, not only for today, but into the future.

I want to assure him and all members of this House that when we are satisfied that our planning will result in meeting that commitment, I will make announcements.

WASTE DISPOSAL

Mrs Marland: My question is for the Minister of the Environment. I think the minister is aware of the resolution of the region of Peel council of last Thursday. They have asked for a meeting with both him as the Minister of the Environment and the Premier (Mr Peterson) to discuss the greater Toronto area garbage problem and the

pending agreement. I would like to know today whether he has arranged that meeting and agreed that both of them will meet with the regional councillors of Peel.

Hon Mr Bradley: To this point in time a meeting has not been arranged, but I would be interested in seeing the actual correspondence. Was that sent to me? I would be happy to see that.

As the member will know, I have met with the chairman of the regional municipality of Peel in conjunction with the mayors of the three municipalities that make up that area. They have brought to my attention their views on this subject. The member will also know that previous to that I had met with representatives of the council who are interested in the subject.

I would be interested in seeing the correspondence on it and I thank the member for drawing it specifically to my attention. Certainly, as I say, on an ongoing basis I have felt that it has been useful to meet with the chairman of the region and with those mayors.

Mrs Marland: No, it is not a matter of correspondence. It is a matter of fact that the regional council has asked for a meeting with the minister and the Premier within the next two weeks. Now that the minister knows of that request, is he willing to fulfil it on behalf of the region of Peel in its serious garbage crisis?

Hon Mr Bradley: I will certainly discuss it with the people who have extended the wish to meet and determine what kind of meeting they would like and so on. As I say, the regional chairman, who has spoken in the past on behalf of the council, and the mayors, who have spoken on behalf of the area municipalities, have had an opportunity for input. I found those meetings and the discussions that we have had with them have been most useful.

The member will know, being one of the members from the area, that there is some considerable difference of opinion, depending on the regional councillors and those who have an interest on the council in this subject. I will certainly discuss that very matter with the offices of the heads of those municipalities and with the regional chairman.

TRANSIT SERVICES

Mr Callahan: My question is to the Minister of Transportation. The city of Brampton continues to grow and is some 190,000 people strong right now. The Georgetown GO service, which connects people from the Brampton and Bramalea area to Toronto, is one that has required

additional service for some considerable period of time.

In fact, under the former Conservative administration, had the double tracking that was required for increased service been done, it probably could have been done for about \$10 million. I have learned that that cost now would be somewhere in the neighbourhood of \$100 million.

I have learned from the Bramalea station, which is the second stop outside my riding, that service could be increased without the necessity of double tracking that is required from Brampton through to Toronto. Would the minister look into the question of whether or not increased service might be provided from Bramalea to Toronto to service the people from that community?

Hon Mr Fulton: The member for Brampton South will be aware that in the last provincial budget the Treasurer (Mr R. F. Nixon) and the government recognized the needs of transportation across this province by allocating an additional \$2 billion to the ministry. Contained in that—

Interjections.

Hon Mr Fulton: I do not think the members of the opposition want to hear what this government is doing for the benefit of the population of this province.

Contained in that budget was some additional \$400 million allocated to GO Transit. We recognize the needs of the growing areas, particularly in the northwest, as the member has indicated. We have made some additional changes and improvements up there. Only last January we, in effect, turned the sod for the first of the gateway programs across the greater Toronto area. We provided for the new Brampton Transit terminal.

1450

He is correct on the difficulties he raises on doubletracking the line, because of the enormous cost. It also requires a couple of structures over Eglinton Avenue and Humber Creek. Certainly there are ongoing negotiations with CN and CP for accessibility to their trackage.

Mr Callahan: I wonder if I could ask the minister as well to look into the question of possibly providing for the people of my riding the introduction of some service to allow them to get to the SkyDome. Otherwise, the alternative is that they would be using highways that are used exceedingly at the moment. For people from my riding, one of the few ways of getting to the dome

would be either by driving all the way or driving at least down as far as Mississauga.

Hon Mr Fulton: My friend from Brampton would be aware of the enormous improvements we have managed to make to municipal roads in the region of Peel and the town of Brampton and other locations across Ontario, both in the municipal roads and provincial highways programs as well as with GO Transit. I can assure the member that our ongoing reviews and further announcements will indicate our position with respect to addressing the needs he raises.

SOCIAL ASSISTANCE

Mr Allen: The Minister of Community and Social Services will recall that last week when I asked him a question regarding the discrimination under section 8 of the regulation, deductions against visible minority women on family benefits, he referred to a study in all area offices across the province which he said showed there was no discrimination involved. The minister has not corrected the public record that in fact there was no such study and that the ministry consulted no evidence which would provide a firm conclusion one way or another regarding discriminatory practices.

Would the minister confirm this and tell us why, if Kathleen Lawrence could examine two case loads in Toronto and get firm figures showing discrimination, he cannot request a similar province-wide examination of case loads in order to determine whether there is or is not discrimination across the province against these women?

Hon Mr Sweeney: I think if the honourable member would check the record, I indicated that there was a review done of the four Metro offices. I do not recall that I said there was a review done of all the offices across the province. I think I made that clear.

The second point: Mrs Lawrence's ability to use her own file of roughly 311 clients was based on the fact that she knew these clients personally. The difficulty with checking anybody else's file is that there is no record kept in the file as to the racial or ethnic background of an individual. While we sometimes can get clues from other information in the file which we can take into consideration, there is no direct reference. Consequently, while we can check on the area of section 8 inadequacies and inequalities, we have no way of checking on the racial background to any accurate degree.

What I believe I told the member the last time he raised the question was that while they were

checking the roughly 80 files across Metro, there was no evidence available to them, even with indirect clues, that would support the racial inequality that had been brought up by Mrs Lawrence.

The honourable member is correct that we have no way of accurately doing it one way or other—

The Speaker: Thank you. That seems like a fairly complete answer. The time for oral questions has expired.

VISITOR

The Speaker: Just before I recognize any members for petitions, I know all members would want to join me in welcoming the former member for Cambridge, the former member with a bowtie, Bill Barlow.

PETITIONS

HOSPITAL FINANCING

Mr Brandt: I have a petition for the Lieutenant Governor and the Legislative Assembly of Ontario, signed by 3,500 persons from my riding, calling for increased financial commitment to Ontario's health care system to reduce the needless deaths and suffering caused by government underfunding of Ontario hospitals.

TEACHERS' SUPERANNUATION

Mr Brandt: I have a second petition for the Lieutenant Governor and the Legislative Assembly of Ontario, signed by 11 persons from Hamilton and area, which reads in part as follows:

"We, the undersigned, petition the Legislative Assembly to insist that the Treasurer of Ontario negotiate with the Ontario Teachers' Federation towards an equitable settlement."

LONG-TERM CARE

Mr Brandt: With your consideration, Mr Speaker, I have two other short petitions.

I have a petition for the Lieutenant Governor and the Legislative Assembly, signed by 74 persons in the riding represented by the member for Welland-Thorold (Mr Kormos), which reads in part as follows:

"I believe that all residents of extended care facilities, whether it be a nursing home or a municipal home for the aged, are entitled to equal care and services according to the specific care requirements of each individual.

"Nursing home residents should benefit from the same amount of funding and kinds of services as residents of municipal homes for the aged.

"I urge the Ontario government to reform the extended care system so that it is uniform, fair and equitable with regard to funding and regulation, and so that seniors in all extended care facilities receive the quality of care that they deserve."

Finally, I have a petition to the Lieutenant Governor and the Legislative Assembly, signed by 297 persons in the riding represented by the member for Chatham-Kent (Mr Bossy). The petition reads as follows:

"I believe that all residents of extended care facilities...." Mr Speaker, I will just read into the record that this petition reads exactly like the one I have just completed from Welland-Thorold, to save the time of the House. With your permission, I will not read it.

The Speaker: No problem.

CHOICE OF HEALTH CARE

Mr Cousens: I have a petition signed by approximately 15 people from my riding in Thornhill.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"The Ontario government has taken steps to limit the measure of health care that can be provided by therapists, home care nurses, chiropractors, physicians and others in the province. The steps they have taken have proven to have been a failure in other provinces. Effectively, they limit the patient's access to special health services and to health care services after office hours.

"We believe that we should be allowed our rights under the Canada Health Act to see our own health care professionals when we feel it is medically necessary."

So signed by my constituents and by myself.

NATUROPATHY

Mr Cousens: I have a second petition.

"To the Honourable the Lieutenant Governor and Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas it is my constitutional right to have available and to choose the health care system of my preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that

would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

It is duly signed by me and over 400 people of Ontario.

SUDBURY ASSESSMENT BASE AND MUNICIPAL STRUCTURE

Mr Campbell: I have a petition signed by 21,625 people from northern Ontario.

"We hereby petition the Legislative Assembly:

"(a) to amend the Assessment Act to permit the broader taxing of mining companies so as to guarantee fairer tax returns to this community from those establishments; and

"(b) to implement an immediate provincial emergency review of the municipal structure in operation in the Sudbury region to ascertain the soundness and cost-efficiency of such and to make recommendations for improvements, if found necessary."

I support the petition and have affixed my signature.

NATUROPATHY

Ms Bryden: I have the honour to present a petition on the subject of naturopathy. The petition is from many people throughout the province and has been signed by 98 persons. The petition is addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario. It reads as follows:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas it is my constitutional right to have available and to choose the health care system of my preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

There are 11 petitions in this group. They all read the same and I have signed them and support them.

Mr Faubert: I also have a petition on naturopathy, and to save the time of the House, I would just indicate it is to the Honourable the Lieutenant Governor and the Legislative Assembly. The petition I will sign, as I am obliged to do by the standing orders, to allow the petition to be entered into the record and for no other reason.

1500

Mrs Fawcett: "To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest, without prejudice or harassment."

It has been signed by 41 people in my riding.

SECURITY IN PREMISES USED BY PUBLIC

Mr Villeneuve: I have a petition from very concerned citizens about Bill 149, signed by 57 people from such communities as Finch, Newington, Iroquois, Morrisburg, Cardinal, Kemptville, Lunenburg, etc.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"We request that the Ministry of the Attorney General withdraw Bill 149, An Act to amend the Trespass to Property Act, which we believe is both unnecessary and without mandate.

"While we respect the rights of minorities and youth, whom Bill 149 alleges to protect, we oppose the way in which the proposed legislation will erode the ability of owners and occupiers to provide a safe and hospitable environment for their patrons or customers. We are further concerned about the legislation's potential for increasing confrontation in the already difficult process of removing individuals who create disturbances on publicly used premises."

I have signed this petition and fully endorse it.

TEACHERS' SUPERANNUATION

Mr Jackson: I have 2,000 signatures from the Superannuated Teachers of Ontario.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"Whereas the government of Ontario in its discussions with the Ontario Teachers' Federation on amendments to the Teachers' Superannuation Act has continually refused to permit an equal partnership between teachers and government in management of the pension fund, establishment of an acceptable contribution increase, benefit adjustments, an equitable treatment of future surpluses and a binding arbitration process,

"We, the undersigned, petition the Legislative Assembly to insist that the Treasurer of Ontario enter into negotiations with the Ontario

Teachers' dederation which will lead to a settlement equitable to teachers."

That petition has my signature and support.

The Speaker: You said you had 2,000 petitions. Did you sign it 2,000 times?

Mr Jackson: I had 2,000 signatures.

Mrs Marland: "To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"Whereas the government of Ontario in its discussions with the Ontario Teachers' Federation on amendments to the Teachers' Superannuation Act has continually refused to permit an equal partnership between teachers and government in management of the pension fund, establishment of an acceptable contribution increase, benefit adjustments, an equitable treatment of future surpluses and a binding arbitration process,

"We, the undersigned, petition the Legislative Assembly to insist that the Treasurer of Ontario enter into negotiations with the Ontario Teachers' Federation which will lead to a settlement equitable to teachers."

This petition is signed by over 500 signatures.

MOTION

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon Mr Conway moved that Mr Johnson (Wellington) and Mrs Grier exchange places in the order of precedence for private members' public business.

Motion agreed to.

INTRODUCTION OF BILLS

LONDON REGIONAL ART AND HISTORICAL MUSEUMS ACT, 1989

Mr Reycraft moved first reading of Bill Pr16, An Act respecting London Regional Art and Historical Museums.

Motion agreed to.

REGIS COLLEGE ACT, 1989

Mr Reycraft moved first reading of Bill Pr30, An Act respecting Regis College.

Motion agreed to.

CITY OF HAMILTON ACT, 1989

Ms Collins moved first reading of Bill Pr13, An Act respecting the City of Hamilton.

Motion agreed to.

ORDERS OF THE DAY

House in committee of the whole.

L'hon. M. Grandmaître : Est-ce que j'ai la permission de la Chambre ?

M. le Président : Oui. Si vous voulez vous installer à l'avant, il n'y a pas d'objections, j'espère ? Venez vous installer.

FUEL TAX AMENDMENT ACT, 1989

Consideration of Bill 21, An Act to amend the Fuel Tax Act, 1981.

M. Harris : O— sont les experts?

M. le Président : Ils s'en viennent. Have the officials come forward, please.

Mr Cousens: Any loopholes in it, Bern?

Hon Mr Grandmaître: We are going to try and find some. I am sure, with your assistance, we will find more.

The Chairman: At this moment, I would like to strictly list any proposed amendments and to which section. Monsieur le ministre, est-ce que vous avez des amendements?

Hon Mr Grandmaître: Before we begin with the amendments, I would like to receive consent to introduce three amendments that I was told were out of order for the simple reason that they deal with regulations, if I am not mistaken. We did receive full consent from the House to proceed with the amendments.

Hon Mr Conway: I should just indicate, and my colleague House leaders will remember, that last week when we dealt with this matter, the table drew to my attention that the Minister of Revenue (Mr Grandmaître) was able to report that certain consultations with the federal government had been achieved after this bill was introduced, in an effort to move forward on some matter at the border that has now been resolved.

He would like to introduce amendments that technically would be out of order, because—as I understand it, and somebody will correct me if I am wrong—the amendments that are being proposed would open a section of the act that is not dealt with in this bill. I chatted earlier today with members of the opposition parties and they were comfortable that that consent should be agreed to. I simply wanted to formalize that before we began the committee stage.

The Chairman: I think we should list them now and, one by one, when you move them, we can talk about that consent. Right now, I just want to list which sections which persons want to amend.

1510

Mr Cousens: I think it is fair to say, certainly from our side, that where there has to be some

movement, we are certainly pleased to help the government proceed. Although it is going to be painful for the taxpayers of Ontario, we would like to be showing more restraint than the government would; but in the spirit of its having the desire to proceed and be more repressive in its taxes, we just feel that we will honour the moment.

The Chairman: Could we entertain the debate on this and whether it is out of order or not at the time that we talk about it, please? For the third time, I would just like to list the amendments right now, if I may.

Minister, it is your turn. Which sections would you like to amend?

Hon Mr Grandmaître: I have three amendments in section 1, and one in section 2 of the Fuel Tax Act, 1981.

The Chairman: Thank you. Does anybody else have any sections he or she would like to amend? Is that it?

Section 1:

The Chairman: Mr Grandmaître moves that the bill be amended by renumbering section 1 as section 1a and by adding thereto the following section:

"1. Clause 1(j) of the Fuel Tax Act 1981, being chapter 59, is repealed and the following substituted therefor:

"(j) 'importer' means a person who brings or causes to be brought into Ontario fuel in bulk."

Section 1 of the said act, as amended by the Statutes of Ontario, 1985, chapter 23, section 1, is further amended by adding the following clause:

"(h) 'fuel in bulk' means fuel transported or transferred by any means other than in a fuel tank of a motor vehicle in which fuel for generating power in the motor vehicle is kept."

As we were trying to say earlier, this is out of order. I guess, Minister, you now understand why; it has been explained to you. Obviously you are trying to amend a section that is not a part of the bill. As all members insisted upon telling me earlier, there seems to be unanimous consent to bring this forward anyway. Is that correct?

Agreed to.

Hon Mr Grandmaître: I think this is an administrative amendment. We simply wanted to define the word "importer" to make it very clear what importer means, especially with the new legislation being brought forward, and also "fuel in bulk." They are really administrative amendments.

Ms Bryden: On a point of order, Mr Chairman: I do not think we have been supplied with these two amendments that were not in order. I have a group of other amendments from the government but I do not have a copy of those two that amend a section of the act that is not covered in the bill. Can we get copies of those before we proceed?

The Chairman: Does the critic for the third party have copies? Yes. Minister, will you provide copies to your official opposition critic.

Ms Bryden: Are there not two?

The Chairman: Actually, there are three amendments. Would you not have copies of all the amendments that you want to bring forward so that the critic may have a look at those?

Would you be ready now to make some comments on that first amendment—or maybe we can proceed with the third-party critic and come back to you afterwards? Would that be okay? Would the member for Markham have some comments?

Mr Cousens: The minister is in the process of tightening up Bill 21 and the Fuel Tax Act as it applies to the province. I am wondering whether or not the minister has been pushed into this; if there is anything in the recent discussions in the paper about people importing fuels laden with polychlorinated biphenyls into the country. Does this give his ministry any way in which it can pursue those people who are illegally importing and bringing into this country products that otherwise should not be brought in the way they are?

I think the media brought out a very important case and it showed that his own Ministry of the Environment had really tried to hide the fact for some period of time that in fact there was a very serious problem going on where people were bringing back into the country polluted goods and selling them at a reduced rate and they were forms of fuel of different kinds. In fact, they were using them in greenhouses and some other places. I am wondering whether his giving this kind of identification just allows him to identify them any better.

While he is tightening it up, has he not considered some of the ways in which people might try to hide behind the existing definitions in this bill where it says, "'fuel in bulk' means fuel transported or transferred by any means other than in a fuel tank"?

I am wondering if there is anything about the quantity of the fuel that is involved in that. It does not say it. I know that sometimes people, if they are carrying a trailer, if they are tugging that

along, will have a spare fuel tank of propane or an extra can of gasoline. Though it is not for the purpose of being in their own tanks and for the purpose of travelling, it is none the less not going in the way in which the bill describes it here. It says fuel that is powering the vehicle. I think there could be some misinterpretation of that. Some overzealous inspector at the border might come along and call for a certain action to be taken by this person because he might then unknowingly be in contravention of this amendment.

Those are two points that I had. I think the third one is that I want to know if there is any way in which the minister's discussions with the federal government in coming up with these amendments involved anything to do with the free trade agreement between Canada and the United States and whether or not this has any impact on that.

My fourth point has to do with anyone who is importing fuel. Does it involve anyone from other countries as well, and if so, what kind of situations is the minister describing in that? I would like him to open up just what other imports of fuel he is looking at under this amendment.

Ms Bryden: I understand we are dealing just with the first amendment, the amendment to section 1, defining "importer" and stating that "'fuel in bulk' means fuel transported or transferred by any means other than in a fuel tank of a motor vehicle in which fuel for generating power in the motor vehicle is kept."

1520

What we are talking about is the movement of fuel across the border, mainly to or from the United States, and the question of how to apply the tax to that fuel or whether it should be disallowed that importation. As we know, this situation of a considerable amount of fuel being illegally moved across the border and sold in Canada without tax came to light a couple of years ago.

I would like the minister to give us a brief résumé of how long this practice had been going on before the ministry decided it should be curbed in some way; an estimate of how much revenue was lost during this period; how the system worked so that the customs people apparently let this fuel move across the border without exacting any fuel tax. Would the minister also give us a better picture as to why this particular addition to the act is needed and what is being done in the meantime, since this situation was discovered, until the introduction of this particular amendment to the act now,

which will not go into effect until some date to be proclaimed by the Lieutenant Governor in Council.

I think we have to have a better picture of what we are dealing with before we can go ahead with these two amendments and understand whether the definitions are broad or precise enough to catch the people who were apparently importing gasoline or fuel in bulk and not paying tax on it. I would like the minister to give us that sort of background.

Hon Mr Grandmaitre: The member for Beaches-Woodbine knows very, very well the history behind what we are trying to do today. For a number of years—three, four or maybe five—the Provincial Auditor has been warning—if I can use that word—the government that we were losing tax dollars at the border crossing for the simple reason that we did not have the mechanism in place to collect those tax dollars. This government and the former government have had negotiations with the federal government because the customs people at these border crossings do collect federal tax but not provincial tax. We will finalize an agreement with the federal government that both taxes will be paid.

As far as the history is concerned, it goes back a long time. What we are trying to do is improve the present legislation. I think the definition of "importer" is a very precise one. I would like to know what the honourable member would like us to add to that definition of "importer." If she has any suggestion, I would be pleased to listen to it.

The question of my honourable friend the member for Markham (Mr Cousens) was, "Is this related to the transportation into Ontario of fuel contaminated by polychlorinated biphenyls?" I want to remind the honourable member that long before the PCB accusations were made, his government—when it was in power—and our government had been negotiating with the federal government to improve the law. Finally we will be signing an agreement with the federal government to close that loophole, as he mentioned a little while ago.

The member did talk about quantities. We are talking about large quantities. We are talking about tank trucks and even boats, if need be. We are talking about the large quantity.

Mr Cousens: I think I understand that. Are there regulations that go along with this bill for inspectors and other people who are involved with the bill to interpret it? I think the minister and I can interpret it. I do not see any problem, but I know there can often be ramifications that

come out of this. Maybe the minister can describe what those regulations would be.

Hon Mr Grandmaitre: There will be procedures written down very clearly so that everybody will understand.

Mr Cousens: Does the minister have those yet, so that we can get a view of what they are?

Hon Mr Grandmaitre: No. As I said, that agreement has not been finalized. As soon as it is finalized, we will all get copies of the provisions.

Mr Cousens: Maybe the minister could continue then. I was concerned with some of the other possibilities of the kinds of fuel that he was thinking of where there could be problems, imported not only from the United States but other parts of the world that are affected by this. Maybe the minister can give me a better sense of what he is really thinking of.

Hon Mr Grandmaitre: Raw fuel or crude oil is not taxable; it is only after it has been processed. One can bring in crude oil from Great Britain without paying taxes.

Ms Bryden: I still want the answer to several other questions. I cannot judge whether the definitions of "importer" and "fuel in bulk" in the amendment to section 1 are sufficient until I know more about the situation. That is why I wanted the minister to review the circumstances which preceded the introduction of this amendment.

For instance, if the Provincial Auditor had been reporting for four or five years that there appeared to be a loss of revenue through a failure to collect the provincial tax at the border on fuel being moved across the border, can the minister give us an estimate of how much revenue was being lost in each of those five years, roughly over the four- or five-year period? That is my first question.

Second, can he explain to us why, after his government came to power, it took three and a half years to bring in an amendment to stop this practice and get the customs officers collecting both the federal and the provincial taxes? We would like to know how much revenue was being lost in that time by the failure to act as soon as the new government came to power.

Hon Mr Grandmaitre: The member for Beaches-Woodbine was asking what the losses were. She knows very well that the Provincial Auditor did come out with a figure of \$100 million. This figure was challenged by the Treasurer (Mr R. F. Nixon) saying that it was considerably less. I cannot give her a precise number of dollars, but we will know in the next

12, 18 or maybe 24 months. We will be able to make a comparison after 18 or 24 months between the dollars collected in 1990 or 1991 and 1985, 1986, 1987 and 1988.

This is a new agreement, a new program, so it is difficult for me to give my honourable friend a precise answer.

1530

The second question raised by the same member was, how come it took so long to negotiate an agreement? I think that answer should best be given by the federal government itself, because as members know, these border crossings are operated by federal customs people. We have been trying to negotiate some kind of agreement that both taxes would be collected, federal and provincial taxes. It did take us a long time to negotiate this agreement, but finally they have agreed to collect both taxes.

Mr Wildman: I think I understand what the minister is attempting to do with this amendment, but as he will know, in many border communities across Ontario and indeed across Canada, there is a very serious problem right now in that large numbers of consumers are going across the border to purchase gasoline and diesel fuel for their vehicles. While I would be in agreement that we should be attempting to deal with the importer who brings fuel from American sources across the border in bulk, what are we going to do to protect the retailer in border communities on the Canadian side who is facing very difficult competition from gas bars in adjacent American communities?

I understand that in Sault Ste Marie we have a situation where there is a small gas bar right at the end of the International Bridge in Sault Ste Marie, Michigan, which does business hand over fist, particularly on weekends, with consumers from Sault, Ontario travelling across the bridge, paying the bridge toll and paying the exchange on Canadian funds and still ending up paying approximately one half of what they would pay in Sault Ste Marie, Ontario, for a full tank of gas. The same goes for truckers who are purchasing diesel fuel.

This has had a tremendously adverse impact on the retailers in Sault Ste Marie, Ontario. I am sure it is the same case in the northwest, in places like Fort Frances; in eastern Ontario in a place like Cornwall, those areas; Windsor in southwestern Ontario.

What really surprises me, and I have not been able to document this, is that I understand when the gasoline outlets in Sault Ste Marie, Michigan run out of gasoline in their underground tanks

and there is not an immediate shipment coming in from their normal sources to replenish their tanks, they import gasoline from the tank farms in Sault, Ontario, across the bridge, and they do not pay our taxes. They are purchasing our gasoline, which would be sold at double the price to the consumer when it retails in Sault, Ontario, without paying the tax, putting it in their tanks in Sault Ste Marie, Michigan, and then selling it to the consumer for half of what they would pay if they were buying it on the Canadian side, and they are still making a profit.

For the life of me, I do not understand how the oil company, whichever oil company is involved in this, which is selling fuel from its tank farm to the retailer in Sault, Michigan, can justify treating its own Canadian, Ontario consumers in such a despicable manner.

We all know that the retail price, within a certain range based on volume of sales and competition in the community, is set by the oil company; it is not set by the retailer. Within a few cents, they determine the markup within a certain range. We also know, whether it is politic of me to say it or not, that just by coincidence, all the companies seem to charge about the same amount. I would not suggest they are price-fixing, but it certainly would be nice if our combines legislation in this country were such that we could do something about this cartel, because that is what it is, which rips off the consumers. You cannot blame consumers in northern Ontario who are being ripped off by high gasoline prices for going across the border where they can buy gas for half.

My question is, does the minister, in this or any amendment, have any intention of doing something about this; at least about the situation where retailers in Sault Ste Marie, Michigan can buy gasoline, fuel oil and diesel fuel from tank farms in Sault Ste Marie, Ontario without paying our taxes, and once it gets across the border on the International Bridge can sell it to our consumers and help to make it so difficult for the retailers on our side of the border?

If this minister cannot do something about it, maybe he will tell me it is something the federal government should be doing something about. I understand the federal government, in conjunction with the provinces, is carrying out a study. That is what the federal government usually does when it does not know what to do, it carries out a study. They are doing a study of a number of border communities, some in British Columbia, Fort Frances, I think Sault Ste Marie may be involved, and a couple of communities perhaps

in Quebec and the Maritimes, looking at the problem we are facing with competition from across the border in terms of the sale of gasoline.

As a matter of interest, I know they are also doing that with the price of milk. They are looking at cross-border sales and the price of milk. I realize the minister cannot do anything about the price of milk in this legislation.

I would like to find out what is being done and what the minister intends to be done to try not only to ensure that someone who brings fuel into Ontario in bulk pays taxes, but that someone who is taking the fuel out of Ontario in bulk pays the taxes.

Hon Mr Grandmaitre: I would like to remind my friend that this bill does not deal with interprovincial trade or crossing. I face the same problem in my own constituency. All you have to do is cross the bridge and you are in the province of Quebec. It is very difficult to prevent these people from buying gasoline in the province of Quebec, yet the tax is not the same. Those are very difficult situations and I do not have an answer for the member today.

The member was talking about international trade. Really, I am in no position, again, to give him a reasonable answer, because that is a federal matter. I am sure the Treasurer and the Premier (Mr Peterson) of this province, whenever they get together with their colleagues in Ottawa or anywhere in Canada, do talk about these problems. Who knows, with the free trade movement right now, we could be affected in many ways. These are really federal situations, and what this government is trying to do is to try to resolve these existing situations.

I think this bill, by defining the word "importer," will eliminate some of the people who do evade taxes. Let's hope we will catch them all, but it is difficult for me to predict at this time.

1540

We are trying to make the law stronger so that we will be able to monitor not only the crossing of this bulk fuel but the destination of this fuel as well.

Mr Wildman: I appreciate the comments of the minister; however, I was not, in any way, suggesting that we should be doing something about the consumers, since this amendment does not speak to that.

If a person wants to travel across the bridge to fill up his tank of gas—

Hon Mr Grandmaitre: I was giving you that as an example.

Mr Wildman: Yes, right—and I realize it is international trade; we are dealing with another country here. But my concern is specifically with the retailer on the American side who purchases gasoline in bulk. It is taken by tanker truck from the tank farm in Sault Ste Marie, Ontario across the bridge to Sault, Michigan to fill up his underground tanks, and he does not pay Ontario taxes on that Ontario fuel.

Then he sells to Ontario consumers as well as Michigan consumers at the Michigan rates. All I am saying is that if we are going to be trying to get someone who imports gasoline or fuel in bulk into Ontario to pay the taxes, let's make sure that the ones who import Ontario fuel into other jurisdictions also pay the taxes.

Mr Cousens: I am not satisfied. Going back to something I said earlier, the definition in this bill of what fuel in bulk means is really such an open-ended definition that it does not begin to satisfy me that the regulations are going to be in place to define what it is.

Why then do the ministry and the drafters of this legislation not be more specific as to what fuel in bulk is? I know the minister is an intelligent man; I respect that. But I think he is missing something in his definition, especially when he says that fuel in bulk will be anything other than what is in the fuel tank of a motor vehicle in which the fuel for generating power in the vehicle is kept.

Therefore, "in bulk" could be even a gallon or a litre, by virtue of what fuel is going to be. So therefore, why does he not have a more meaningful definition within the bill? I would like to hear his answer.

Hon Mr Grandmaître: I know what the member is driving at. It could be a gallon. Would he cross the border in Cornwall or in Sault Ste Marie with a one-gallon can?

Mr Cousens: Well, that is the point.

Mr Wildman: Parsimonious as he is.

Mr Cousens: That is the point the member for Algoma (Mr Wildman) made.

Hon Mr Grandmaître: Let's be serious. I am telling my friend the member for Markham that we are talking about bulk and we are talking about large quantities. We are talking about truckloads and even boatloads. This is what we refer to as bulk.

To answer my friend the member for Algoma, if the dealer from Michigan crosses the Canadian border and buys from a supplier in Ontario, this is called export, because it is going out again. There is no tax on it. It sounds ridiculous, but if

that gas were consumed in Ontario, then tax would be paid on it. But due to the fact that it is taken again across the United States or Canadian borders, there is no tax. Maybe we should sit down with the federal government and also the states of Michigan, New York and so on and try to strengthen that law.

Mr Cousens: Maybe we should ask the ministry to go back and table this or refer it back to you, to come along with a definition that reflects what you and I both believe to be fuel in bulk. What is written here in this amendment is not the definition of what he is saying fuel in bulk is, so why is it that he says something which is so wise and intelligent and yet has such a dumb definition? All I am asking for is some consistency.

Then the other problem we have is that we in this Legislature have no control over what the regulations are going to look like. That goes back to someone in a back room with lots of smoke in it, or whatever else, and they will come out with what their definition is. So why can the minister not come back to us? Maybe what he should do is table this and then can come back to this House with something that is far more responsible and reflects truly what fuel in bulk is.

Hon Mr Grandmaître: I am not trying to be funny. I am not trying to be sarcastic, but bulk is bulk. We are talking about large quantities; a truckload, a boatload. Usually when you buy something in bulk, you cannot put it in your side pocket. That is what bulk is all about. We have given it a broad definition so that it will include just about everything except a one-gallon container.

Mr Cousens: The humour escapes me, I do not know. On the one hand, we both understand what the minister is trying to say, but on the other hand, it is typical of a bunch of lawyers sitting down and writing and drafting legislation, whether it is lawyers, former mayors or politicians who think one thing and say another. What he is saying here is not consistent with what we both believe. If this is the best the minister can do, and I think it is pretty shabby, then I am going to have to vote against it just by virtue of the fact that he has failed to give a definition of what "fuel in bulk" is. We both know that fuel in bulk is more than that.

What he has said in his definition—maybe he has not read it. What he is really saying is that it is "any other fuel." That does not say, "other than in a fuel tank of a motor vehicle in which there is fuel for generating power." Therefore, it is any fuel other than that. Some person might have

spare lighter fluid. I do not think it will be that ridiculous, but I am just saying that "fuel in bulk" should be better defined. He has not done it. I am critical of it. Why does he not clean it up? He has a chance to do it right, and here he is introducing something in the House that is just not so. He is capable of doing a better job.

Hon Mr Grandmaitre: I appreciate the confidence of my friend the member for Markham, but I think the definition is broad enough. I am sure that his mind is broad enough that he would accept "bulk" meaning "large quantities." I am sure of that. He is an intelligent man. He is not a lawyer, but a former minister.

Mr Faubert: Ordained.

Hon Mr Grandmaitre: Yes. I am sure that he will accept that definition. Also, I think that it is a very poor excuse for the member wanting to vote against this bill—because of the definition of the word "bulk." That is a very poor excuse. I think the member should realize that we are trying to be reasonable. This is a broad definition and he should support it. I am sure his leader would be very, very pleased if he supported our bill.

Ms Bryden: I still have not learned from the minister an estimate of how much revenue was lost during those long negotiations with the federal government to get them to start collecting the provincial tax at the same time as they collected the federal tax on imported fuel.

I would like to know what date the Ministry of Revenue first approached the federal government on this matter after the change of government. Can he or his officials give me that? What was the first request for co-operation in this? I still find it difficult to understand, if the request was made right after the government changed, why it took three years to get to this stage of having a potential agreement, I gather, with the federal government to collect the tax, which then leads to the necessity for this amendment to clarify the definitions of "importer" and "fuel in bulk."

Certainly, it is very sad to know that a great deal of revenue was being lost in this period. I think perhaps we should have had more co-operation from the federal government in making this a high priority, but the provincial ministry seems to have had very poor bargaining powers with the federal government to get some action on this. I think the public wants to know how much we lost before we apportion blame.

1550

Hon Mr Grandmaitre: As I said previously in answer to a question asked by the honourable member, it is difficult for me to be precise. If I

were to give her a number, she would argue it was wrong, so I will not give her a number. I am sure that in the next couple of years we will be able to make comparisons and she will be the judge.

I know the Auditor General came out with a figure. We do not like this figure. We disagree with the Auditor General, but I would like to remind the honourable member that the initiative of this government some years ago—I cannot recall exactly what year it was—was to start to dye the clear fuel at the border crossings. Was it two years?

An hon member: It was 1987.

Hon Mr Grandmaitre: It was in 1987. This has been ongoing for some time.

We have been trying not only to collect our taxes at the border crossing, but also to find out the destination of these fuels. Were they used for farm equipment, off-the-road equipment, cars or trucks? Now we will be able to follow up on the destination of those fuels.

Again, I am sorry I cannot give the honourable member a precise figure, for the simple reason that we do not know.

Ms Bryden: Not even a ball-park figure?

Hon Mr Grandmaitre: She is going to criticize my ball-park figure and I am going to strike out.

The Chairman: Does anybody else have any comments or questions? Does that mean we are ready to vote on this?

Ms Bryden: I want to comment also on the rate of tax that is provided. This bill puts an additional tax on diesel fuel, which is used mainly by buses and somewhat by trains, and is generally used in a great deal of vehicles that deliver goods to consumers. It is also used considerably in public transit.

I just cannot see why the minister is proposing another addition to this tax, because it is very regressive. It is passed on to the consumer in most cases, and it affects really all consumers who use goods that are delivered in diesel-fuelled vehicles. It particularly hits the north, where perhaps more goods are delivered by truck than by other means. It also hits people who use bus services, and it hits municipal public transit systems that use diesel fuels.

I think the Treasurer is simply using this fuel as another means of getting another bite out of the consumer. We know that since it hits so many people so widely, it is another regressive tax. That is why we voted against it yesterday. We

still think the minister is wrong in relying on this kind of tax.

Second, I think the minister should have been looking at means of helping the users of diesel fuel to switch to less polluting fuel. We know that diesel fuel is very polluting and that there are alternatives. I think he should be assisting the users of diesel fuel to find a better alternative to that fuel and perhaps give incentives to them, rather than simply adding to the tax.

Third, the addition of a tax on locomotive fuel on those that are diesel-fuelled is also a suggestion that we do not need our trains, that we should not be encouraging train travel. I would prefer that trains operate on other fuels than diesel, but they still do and, even though the tax is very small, why discourage our rail services?

Hon Mr Grandmaître: The honourable member refers to the cost being passed on to consumers. I just want to remind her that this government subsidizes transportation commissions such as the Toronto Transit Commission, the Ottawa-Carleton Regional Transport Commission and so on and so forth; even in Sault Ste Marie; all over this province. So they are in fact being subsidized by—

Ms Bryden: Not all private transit.

Hon Mr Grandmaître: If it is a private enterprise? I am talking about a municipal service, a provincial service. These municipal services, like TTC or OC Transpo, are being subsidized.

Also, she mentioned that we should be introducing a program where cleaner fuels, less polluting fuels would be introduced. We did introduce a conversion program and more and more people are using this program and converting to propane or natural gas, and we encourage people to do so. With the new legislation being introduced, we are giving people a longer period to convert to natural gas or propane. So I think we are answering the situation or the problem very adequately.

Mr Wildman: I am always a little bit reticent about participating in debates on revenue bills because I sympathize with the minister. The minister here, as we all recognize, is really just the messenger and you do not like to shoot the messenger. We know the minister does not set the policy. That is set by that ogre who sits in a seat close to where the minister is now sitting, the Treasurer.

It is really unfair to this minister that the Treasurer would get up when he gives his budget address and say, "We're going to whack the

consumers again," and then leave it to the Minister of Revenue to take the flak for that.

Hon Mr Grandmaître: He goes away.

Mr Wildman: Yes, he is not even here. The minister is then stuck with having to bring in legislation, much as I know he does not like it. I am sure that he himself is opposed to this legislation, that he would not ever want to bring in more taxes for the consumers. In fact, the Minister of Revenue is such a generous man that I am sure he would like to lower the taxes if he could do it. But he cannot; it is up to the Treasurer.

So this minister is stuck with having to bring in legislation and the Treasurer does not even have the guts, if I can be a little crude, to come in and say: "Look, it's my idea. It's my policy. I forced this through at the cabinet table over the objections of the Minister of Revenue, and now he is stuck with having to bring this legislation in, much as he is against it." But since this minister is here and the Treasurer is not, despite the fact that I have so much respect for this Minister of Revenue that I do not like what I have to say, I have to.

1600

Hon Mr Grandmaître: The devil made you do it.

Mr Wildman: No, the devil did not make me do it; the Treasurer did.

Mr Reycraft: That's unparliamentary.

Mr Wildman: Well, I do not know. I was not suggesting that the Treasurer and the devil were synonymous, but since the member raises that—

Mr Reycraft: The devil is probably upset about that.

The Chairman: Please; one member at a time.

Mr Wildman: I do not mind, Mr Chairman.

The Chairman: I do.

Mr Wildman: Thank you. I note that this piece of legislation, Bill 21, that is now before us is going to increase the cost on clear fuel used by railway equipment by three percentage points a litre; in other words, about a cent a gallon.

I know this minister probably is opposed to the ill-advised policy of the federal government in that it is now trying to make it even more difficult for the isolated communities in northern Ontario to have communication and transportation to the outside world because it is destroying Via Rail. I know the minister is opposed to that, but why is he acting as an accomplice, not only to the

Treasurer but to the federal government, in doing this by raising the cost of fuel?

Surely he knows that in raising the cost of fuel, not only does he make it more expensive and more difficult for passengers, but it also means the cost of goods in northern Ontario in isolated communities is going to go up. That is not acceptable to us. Why should the people in Oba, for instance, in the northern part of my constituency, be stuck with the kind of prices they are paying already and then have these taxes raise them even further?

I note also that it is raising the price on clear fuel for general use by four cents a gallon or a little more than that. I like to deal in gallons because we all know that when we switched to metric, it was an attempt to confuse people so they would not know how much they were actually paying.

We are paying here a little over four cents more a gallon while in northern Ontario we are already paying far too much for fuel. If the government increases the cost of the fuel for the trucks that carry most of the goods in northern Ontario, it means the consumer in northern Ontario once more is being ripped off.

On top of that, the cost of doing business in the north goes higher as well. The cost for truckers who are transporting manufactured goods—the few manufactured goods that we transport out of the north—the cost of transporting logs and finished lumber products and paper will all go up.

Mr Reyecraft: Not to speak of the local member's driving around his riding.

Mr Wildman: I must admit that in my constituency I do a great deal of travelling and the taxpayers subsidize that by paying me so much a kilometre.

Hon Mr Grandmaitre: Not enough.

Mr Wildman: Oh, I think it is enough, but having said that, is it really sensible to give it to me with one hand and to take it away from the taxpayers with the other?

Mr Faubert: You get more than we do per kilometre.

Mr Wildman: Yes, we do, because gasoline costs more in northern Ontario. That is why we get more, and because we have longer distances and lousy roads and because we have poor weather, so we use more gasoline.

Having said that, I will conclude because I see my friend waving at me that we do not want to prolong this, and I do not want to prolong it. I recognize it is not the minister's fault. I recognize

that if the member for Ottawa East had his druthers, he would not be piloting this legislation through the House. I know he has been browbeaten by the Treasurer into bringing this kind of legislation before the House. Perhaps if the minister could have done it himself, then he would have done it in a different way. But we know he is the messenger, and because the architect of this ill-advised policy is not with us and has chosen not to be present, we have to whack this minister. I regret it, but it must be done.

Hon Mr Grandmaitre: After hearing this sob story, I feel like the sacrificial lamb. I want to thank the honourable member for taking it easy on this minister. I can assure him that tomorrow morning at breakfast I will pass on his remarks to the Treasurer, because most of his remarks were directed at the Treasurer. But I want to remind the honourable member that this government has the responsibility of making sure that we have good roads even in northern Ontario.

Mr Wildman: You have the responsibility. I wish you would fulfil it.

Hon Mr Grandmaitre: Yes, and that is exactly what we have done since we have taken power. We have increased our budget by over 30 per cent, so I think we are now attacking the road problem in northern Ontario. When I hear people from northern Ontario criticizing or claiming that they are paying more for gasoline in northern Ontario, well, I travel to northern Ontario at least seven times a year. I will be there this weekend in fact.

I can tell the member that in North Bay, or even in Sudbury and New Liskeard, in those places, gas is very reasonable. The member might argue with me about what is reasonable. I am trying to tell the member that we pay as much in eastern Ontario as he does in northern Ontario, and sometimes more in eastern Ontario. We can go on and on and argue about these price differentials, but I think what this tax is doing is providing us with more dollars to build him more roads, not only in northern Ontario but right across this province.

Mr Wildman: I was going to sit down, but the minister has provoked me. First off, I will not say very much about what he has had to say about gasoline prices in northern Ontario being reasonable. I just want to take that out of Hansard and spread it all across northern Ontario, that the position of this government is that the price of gasoline in northern Ontario is reasonable, because he is going to have a hard time defending

that to the consumers of the north, and frankly, to the retailers.

But having said that, I just want to comment about the roads. There is no question that this government has a responsibility to increase the budget for improvements to roads in northern Ontario, just as it does across the rest of the province. Could he tell me that the money from these bills we are voting for today will mean there will be a significant increase in the budget for roads in northern Ontario?

Hon Mr Grandmaitre: Highway 69?

Mr Wildman: There is no question that Highway 69 needs to be improved. But every time there is an announcement about increases in the roads budget, the vast majority, 10 times as much, is going to what is now called the greater Toronto area. I recognize there is a lot of traffic down here, but 10 times as much is spent down here. We do not have as many people, cars and trucks but we have 10 times the area. It is not being spent in northern Ontario and we are not driving on decent roads.

There are so-called secondary highways in my constituency that this government has the gall to refer to as highways. It would be a compliment to call them minefields. So the minister should not tell me that by raising the tax on fuel we are going to have better roads in northern Ontario. The member for Port Arthur (Mr Kozyra) will testify to the condition of roads in northern Ontario.

We must have a commitment from this government. If the minister can tell me how much he expects to collect from this new tax this year and how much of that is going to be spent on roads in northern Ontario, then I might be satisfied, if he can show that it is a commensurate amount; I doubt he can.

1610

Mr Pouliot: I cannot believe what I am hearing. Elie Martel, the former member for Sudbury East—

Interjections.

Mr Pouliot: I look at the minister, and he just lies there and does nothing about the price of fuel in the north. This is no laughing matter, with respect.

I just spent the last three days travelling 1,500 kilometres in the great riding of Lake Nipigon. I was in Nakina yesterday and returned to Thunder Bay at one o'clock in the morning. The reason why I point this out is that I and other people who live up north can experience at first hand the discrepancy between gas prices.

I represent communities, and I have heard the minister very clearly. I do not know if huge majorities do that, refuse to listen as well as to speak, but he said that the prices of gasoline up north are the same as in southern Ontario and then he sort of corrected himself and said "reasonable." Reasonable what? I represent the community of Fort Severn, the northernmost community in Ontario. The price is \$5 a gallon. I call that unreasonable. The minister has said that this is reasonable, but the jury is still out.

The highest price in North America is being paid by the people who live in those remote communities. I repeat, I feel that it is totally unfair, totally unreasonable, and the minister has said that it is reasonable. I hope he comes into our riding and explains that to the great people of northwestern Ontario.

The gall and the audacity have no bounds. The minister tries to make us believe that the money will be taken and put into roads and the revenues will be there to put into the road system in northern Ontario.

I cannot help but compare it to when they are talking about the greater Toronto area. They are concerned about paving the soft shoulders. They are that far. They have lines, indications, good roads, first-class transportation for the GTA, and up north we are concerned about the sections between the soft shoulders. That is our problem. We are not on the soft shoulders yet. If you want to see potholes, if you want to see a picture of desolation, if you want to see a deterrent to tourism, you should look at the road network and the maintenance of those roads in the north.

The minister is talking about \$30 million. It is not so long ago that this accomplice, by way of the measures of his colleague and the Provincial Auditor, whose good work, good deeds and integrity can never be questioned, mentioned that that minister was short some \$3 million because of sloppiness. In other words, \$3 million was not collected because the minister was not at his post doing his job.

Instead of looking at \$3 million, what the minister says is, "You, the people of the north, will keep on paying anywhere from 10 to 15 cents a litre more, on the average." That is the difference. If members drive some 30,000 kilometres per year, north and south, they are looking at a difference of about \$400 in their pockets.

It has already been acquiesced to that Ontario is the highest-taxed province—this is a rich land—in the whole of the Dominion of Canada. When all is said and done, if a person starts

working in the month of January, it will be some time in July—in other words, if a person makes whatever paycheque, he give his entire paycheque in taxes to that man there, and he will have to carry the guilt.

There is a saturation. The middle class, with the likes of Bill 21, is literally under a state of siege. You give all your paycheques, January, February, until July, and some time in July, you have a little bit of money to make ends meet and money to make the economy grow. There is indeed a saturation.

The Minister of Revenue would have been better advised to at least impose a minimum tax on the many thousands of companies in the province of Ontario that are making a profit—and we want to wish them well—and are not paying one penny.

How do you think the middle class feels, Mr Chairman, when it sees the erosion of its wages almost daily in a combination of a scheme engineered by the feds with the acquiescence of the province of Ontario? Indeed, one could say that the vultures are gathering. It is nothing short of that, and the words are not too strong.

I see the minister shaking his head and saying the odd words of wisdom, as if humour was becoming to him. People are driving to go to work, people are warming up their cars because it is colder up there, and his next line will probably advise people to put on another sweater. Yet we cannot grow, we can hardly survive, because the price of gasoline is not nearly at a level where it should be.

Enough criticism. Let's talk about positive alternatives that would work so that the north could finally join the economic mainstream of Ontario. We have already talked about a difference of between 10 and 15 cents between the south and the north. The north pays more: 12 to 15 cents a litre. Twelve cents is made up of provincial taxes.

If the minister means what he says when he talks about vision—vision without the proper mechanism will never be vision; the minister lacks planning; he is not taken seriously—as an incentive, why does he not take two cents off the provincial tax?

He could say, "Okay, the good people of the north are the less fortunate of Ontarians, so to bridge the gap between 12 to 15 cents a litre, we will take two cents off in taxes." The dealer will not suffer; the supplier, the oil company, will not be penalized; but more important, the consumer will begin to benefit. Just as important, the consumer will see that the minister means what

he says and that he can look to tomorrow with better confidence.

If the minister did it for five years—and it would not cost the province a great deal of money in revenues—after five years, the prices would be pretty well even. Sure, there would be a two- to three-cent-a-litre difference. He could say, "My friends, one and a half cents is due to transportation cost, the difference between supplying the north and the south."

I think that is constructive. Time and time again, people who represent a constituency in northern Ontario have mentioned to the minister the error of his ways and have come to their feet in this House to say, "Why don't you take this package?" I do not mind going into the minister's office with my idea and then reading a month or two months or six months down the line that I am out of his office with his idea. I do not mind this, because the collective effort has been served.

I see that many of the minister's colleagues, on this warm day, have adopted the dress code of shirtsleeves. I want to point this out. If they had been in the minister's office this afternoon at a meeting, I would really be more serious in talking about the dress code. They are privileged to still have their shirts on.

The minister is nothing short of an insult to the people of the north. The people of the north know what my distinguished colleague the member for Algoma and my colleague the member for Sudbury East (Miss Martel) are talking about when they say the difference in the price of gasoline is nothing short of a disgrace.

It is a deterrent to consumers, a deterrent to workers, a deterrent to growth, a deterrent to tourism and it speaks very badly, it represents his ministry at its worst. What the minister has done with his mandate is pick the pockets of people.

Like other members, I will welcome the apology from the minister and will look forward to a little more social justice, because we have had just about enough of our pockets being fleeced; there is not much left.

1620

The Deputy Chairman: Is there any other discussion?

Mr Wildman: He said it all.

The Deputy Chairman: I can therefore put the question. Is it the pleasure of the committee that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

The Deputy Chairman: Mr Grandmaitre moves that the bill be amended by adding thereto the following section:

"1b. Subsections 11(5) and 11(6) of the said act are repealed and the following substituted therefor:

"(5) Every importer shall, at the times and in the manner prescribed, collect from any wholesaler, retail dealer or purchaser to whom the importer sells fuel, the tax collectable and payable under this act, and for that purpose, every importer is an agent of the minister for the collection of the tax imposed by this act.

"(6) Every importer who is a collector shall remit to the Treasurer, at the times and in the manner prescribed, the tax collectable and payable by the importer in respect of the fuel imported by that person.

"(7) At the time of entry into Ontario from outside Canada of clear fuel, every importer who is not a collector shall remit to the Treasurer,

"(a) an amount as security equal to the tax under subsection (5) that the importer would be obliged to collect on such clear fuel upon resale of the fuel in Ontario; and

"(b) the tax payable by the importer under subsection 4(1).

"(8) The remittance required by subsection (7) shall be made to a person authorized by the minister for forwarding to the Treasurer by certified cheque or money order, payable to the Treasurer.

"(9) Every importer shall, at the time and in the manner prescribed, deliver to the minister or to a person authorized by the minister a return with respect to the fuel imported by the importer."

I must advise you that this motion is out of order for the reason that it seeks to amend a section of the act which is not part of the bill before us.

Mr Wildman: You're absolutely right.

Hon Mr Grandmaitre: Mr Chairman, you are absolutely right, but I thought I was given an all-party agreement when we first started. But I think you are right. The chairman did say, "We will deal with every section." You are absolutely right, Mr Chairman. I did consult my honourable friends my critics.

Mr Pouliot: Sorry. You're on your own.

Hon Mr Grandmaitre: My critics are gone, the Tories are gone. I did receive royal—

Mr Wildman: Royal assent?

Hon Mr Grandmaitre: Royal assent. Not royal assent but consent.

The Deputy Chairman: Order, please. Can I confirm that the minister has sought and received unanimous consent from the other parties?

Hon Mr Grandmaitre: Yes, Mr Chairman.

Mr Wildman: It is agreed, as long as we do not give him carte blanche.

The Deputy Chairman: Thank you.

Hon Mr Grandmaitre: Again we are addressing the loss of tax dollars to this province, and this amendment will certainly rectify this loss. Ontario lost several million dollars yearly on undeclared and untaxed sales of imported clear fuels. Under the existing provisions an importer may withhold reporting or remitting tax on any or all shipments of clear fuel into Ontario with little risk of detection. The proposed amendment will enable the collection of tax from importers who are not collectors at the entry point by customs and excise officials of the Department of National Revenue.

Ms Bryden: We are equally concerned with regard to the illegal importers who are bringing gas into Canada and selling it without tax. Therefore, we are prepared to support this amendment in the hope that it will stop this activity and enable tax to be collected by the customs officers at the border on any illegally imported fuel as well as gasoline.

Motion agreed to.

Hon Mr Grandmaitre: Mr Chairman, I am told the same consent is needed for the reading of the amendment to add section 1c, and I did receive that agreement.

The Deputy Chairman: For the sake of the record then, the proposed amendment is out of order, but the minister is indicating that he has sought and received unanimous consent of all parties for the introduction of this motion.

Mr Grandmaitre moves that the bill be amended by adding thereto the following section:

"1c. Subsections 19(1) and 19(2) of the said act are repealed and the following substituted therefor:

"19(1) Every person carrying fuel in bulk, and the operator of every motor vehicle carrying fuel in bulk, shall, when requested by the minister or any person authorized by the minister, give written evidence to the requester of any or all of the following information,

"(a) the name and address of any person from whom the fuel was obtained and the name and address of any person to whom the fuel so obtained was delivered or is to be delivered;

"(b) the quantity of fuel delivered or to be delivered to any person;

"(c) the use or intended use, if known, to be made of any fuel delivered or to be delivered from such motor vehicle.

1630

"(2) The minister or a person authorized by the minister may detain a motor vehicle carrying fuel in bulk where,

"(a) written evidence requested under subsection 1 is not given;

"(b) the information in the written evidence that is given is false; or

"(c) the importer fails to comply with subsection 11(7) or fails to deliver any return in accordance with subsection 11(9).

"(2a) The minister or a person authorized by the minister may detain a motor vehicle under subsection 2 until the written evidence is given, the true information is given, the remittance required by subsection 11(7) is delivered or the return in accordance with subsection 11(9) is delivered, as the case requires.

"(2b) During any detention under subsection 2, the crown, or any person acting in the administration and enforcement of this act, is not liable for any damage to the motor vehicle, its contents, cargo or freight, or to its owner or driver or otherwise that may occur or be alleged to occur by reason of the detention of the motor vehicle pending compliance with subsection 1 and subsections 11(7) and 11(9)."

For the sake of technical accuracy, I will now rule the motion out of order and confirm that the minister has sought and received a waiver for its introduction from both other parties.

Hon Mr Grandmaître: Again, we have talked about fuel taxes and we have talked about tax fraud, tax evasion and so on. I think this is a very well known subject in this House. This will permit us, along with the federal government, to collect these taxes at a border crossing.

As I mentioned previously, we have finally concluded an agreement with the federal government that will permit us to collect our taxes and also to follow up on the destination and the use of gasoline and fuel. Basically, we are protecting our interests and we intend to collect every tax dollar that is redeemable to this government.

Ms Bryden: We are willing to support this amendment, also, as part of the process of bringing the fuel that comes in illegally under tax and making sure that we do not lose the revenue that we have been losing in the past. I understand that the federal government will collect it or that an agreement will be made for the federal government to collect it along with the federal tax

at the border. So we support this amendment, as well.

Motion agreed to.

The Deputy Chairman: Is that the end of the amendments for section 1?

Hon Mr Grandmaître: Yes, we will now move to section 2 of the bill.

The Deputy Chairman: Is it the pleasure of the House that section 1, as amended, be part of the bill?

Section 1, as amended, agreed to.

Section 2:

The Deputy Chairman: Mr Grandmaître moves that section 2 of the bill be struck out and the following substituted therefor:

"2(1) Subject to subsection 2, this act shall be deemed to have come into force on 18 May 1989.

"(2) Sections 1a, 1b, 1c and 1d shall come into force on a day to be named by proclamation of the Lieutenant Governor."

Ms Bryden: This is one of the operative sections of the original bill and we will vote against both section 1, except for the amendment, and this section because we are opposed to the bill and we would like to see the bill withdrawn. It is imposing an additional tax on fuel which we think is unnecessary. The revenue could be raised in more progressive ways. So we are voting against this section and against the bill.

The Deputy Chairman: Is it the pleasure of the committee that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

Section 2, as amended, agreed to.

Section 3 agreed to.

Bill, as amended, ordered to be reported.

RETAIL SALES TAX AMENDMENT ACT, 1989

Consideration of Bill 22, An Act to amend the Retail Sales Tax Act.

The Deputy Chairman: Would members please indicate the sections to which they seek to make amendments or on which they have any questions or comments?

Hon Mr Grandmaître: Section 3 of the bill, clause 2b(2)(c), and section 4 of the bill, clauses 2c(4)(a) and 2c(4)(b), will be amended.

The Deputy Chairman: Those are government motions. Are there any opposition motions,

amendments, comments or questions on any sections?

Mrs Marland: I have an amendment to subsection 3(2b) of the act. I have just the one amendment.

1640

On section 3:

The Deputy Chairman: Mr Grandmaître moves that clause 2b(2)(c) of the act, as set out in section 3 of the bill, be struck out and the following substituted therefor:

“(c) the tire is attached to or is designed for use on any class or classes of tangible personal property prescribed by the minister.”

Does the minister have any introductory comments?

Hon Mr Grandmaître: As the Treasurer (Mr R. F. Nixon) pointed out in this House, tires such as those for bicycles, tricycles, wheelbarrows and lawnmowers are not intended to bear the tax on pneumatic tires. This was promised by the Treasurer, and we are introducing an amendment today to clarify the taxes on tires.

Mr Pouliot: I have a question for the minister regarding the definition. I ask the minister to please correct me if I am wrong. I am seeking some guidance and clarity on his amendment. For instance, should I buy a new car in Ontario, the sales tax at the present time is eight per cent. I would pay on top of the eight per cent another \$5 per tire. Is this for four tires? Does it include the spare?

Hon Mr Grandmaître: Yes.

Mr Pouliot: Okay. So if I were to buy a new car, I would pay \$25 more, besides the sales tax, on top. Is that right?

Hon Mr Grandmaître: Just to make sure that it is very clear in the honourable member's mind, if it is a new car, the \$25 tax is payable up front on the price, and the eight per cent is on the gross price, the total price, of the car. Is that understood?

Mr Pouliot: Thank you.

Mrs Marland: It is in order at this point to comment on this amendment. First of all, I have a question to the minister based on the fact that it says in the bill that this bill would come into force on 1 June 1989.

My question to the minister is, what happens to all those people who have bought these kinds of tires since 17 May, the infamous day of the bad-news announcement of the Treasurer's budget? If people have been buying these tires which are now exempt as of 1 June and they have

already paid their tax on those tires, could the minister please answer for me, on behalf of those people, what their expectation can now be from the Treasurer of Ontario?

Hon Mr Grandmaître: If people have already paid taxes since the budget, and we are saying this tax is now coming into force on 1 June, the dealer will gladly reimburse the tax paid or the ministry will reimburse or refund the tax that was paid previous to 1 June.

Mrs Marland: Can I be very clear? What about the people who have bought those new tires that are now in this exempt category since 17 May and have not retained their sales slips, which is a very common thing? It is okay for the minister to sigh with frustration at my question, but I want to tell him that there are thousands of people sighing with frustration at this tax in Ontario today. If he now is changing the rules of the game, then I suppose what begs the question is why any of the tax came into full force before the bills were approved by this House.

In my opinion and in the opinion of the Progressive Conservatives, I think if this government knew how to go about its business, then it would not have enforced this new sales tax on tires at all. But enforcing it before the budget bill approving that tax went through the House now has put the government in a position where, whoopee, after six or seven weeks it is going to change the rules and is having exemptions. We are in favour of those exemptions. In fact, we are in favour of exempting all new tires from any sales tax.

But the fact of the matter is that the rules have changed for these people who have bought certain tires in that period, and the government now is saying that they will be refunded their tax. The question is a very serious one. I appreciate the minister's saying that if the dealer cannot refund the tax, then the ministry will. Will the minister tell me how he will do that for those people who no longer have their sales slips or proof of purchase of those tires? Are we going to go out to inspect the tread and decide whether or not that is a new tire from the last six or seven weeks? I mean, I will be very interested in his answer and I will await that.

Hon Mr Grandmaître: I am sure that if a person were to buy two or three tires at his or her friendly tire retailer's, I am sure that this person could go back to the retailer to obtain a receipt. We will accept that receipt and the person will be refunded. We trust that he or she has bought two or three tires. But all he has to do is go back to the retailer and get a slip and we will accept it.

Mrs Marland: If I may continue. I do not think there is a retailer in Ontario today selling tires and who is not friendly. But I recognize also that retailers in Ontario are business people, and as business people on behalf of this Liberal government they have been directed to collect a certain tax on tires. Now, six weeks later, the government has changed its mind and said that tax on certain tires no longer is necessary.

The minister is saying that people who have bought those tires can go back to the tire dealer now and ask in a friendly way for a receipt. Well, in the real world of business—and I want to say, having spoken to a number of Canadian Tire dealers who I would suggest are perhaps among the many prominent tire dealers in terms of volume in this province—and there are obviously other companies similar to theirs—they simply cannot deal with the volumes of people who will be coming back without sales slips and asking for a refund of that tax.

I would hope that by conferring with his staff, the minister would come up with a better, more simple way of dealing with a problem which he himself has created. I am glad that the minister is smiling and that he thinks it is amusing, but it is a very serious question. It is not fair to these people who have bought these tires and who no longer have their sales slips, for the minister to say, "Go ahead and ask the person from whom you bought the tires for another sales slip receipt." He is putting the onus on the tire dealer, whereas the onus lies with the government which imposed that tax ahead of time. How is it, with all the ability there is supposed to be in the Liberal government, that it would have this mess anyway? How is it that it would introduce a sales tax and not even clue in to the fact that maybe it was unjust to have a sales tax on bicycle tires, tricycle tires or lawn mowers? That is a really tough question.

1650

Interjection.

Mrs Marland: Even wheelbarrows.

How is it that the minister can indeed have the same sales tax on a tire this size as on a huge earth-moving truck and tractor tire? It is really interesting that when we are talking about the overall subject of tire tax, as my colleague the member for Lake Nipigon (Mr Pouliot) has asked the minister, is it not rather amazing that when he has a new tire tax, that tax comes even on the new car with its new tires? It is not new tires to replace old tires any more, which is what the public thought at first. We were horrified at first that this tax on tires was in our opinion a regressive tax. It

is a deterrent tax, because it is a deterrent to safety.

Quite frankly, I would like to read into the record, for the minister's benefit, some of the figures pertaining to safety and accidents with regard to tires. I quote from the Ontario Road Safety Annual Report, 1987, which, interestingly enough, is published by the government's own Ministry of Transportation, not the minister's in particular, but the government's.

In this report, it says that with regard to the safety aspects, there is a lot riding on our tires. In fact, there were 621 accidents in which insufficient tire tread was identified as the cause. Some 32 of those accidents were fatal, 323 of those accidents involved personal injury and 266 caused property damage. In addition, there were another 969 accidents, four of which were fatal, caused by tire puncture or blow out; 323 accidents, one fatal, caused by defective wheels or suspension, and 289 caused by defective steering.

It is very true, and it does not take very much common sense to recognize, that all of those factors are related to tires; yet the Liberal government has seen fit to add a \$5-per-tire tax, which in itself has to be a very serious deterrent to people buying new tires; people who, because of this tax, now think about delaying the purchase of those tires.

The minister has two examples, one of buying five tires when you buy a new car. Usually, people buy five tires when they buy a new car. I do not think most people would buy a new car without tires. The fact of the matter is that, immediately, the Liberal government has added \$25 to the cost of that car as a tax.

Then on top of that, we have the eight per cent tax. Let's not be misled, because I want to make sure the public understands what the Liberal policy is. The \$5-per-tire tax goes on the price of the car first, and then the eight per cent is on top of that, the total price. So, it is a tax on tax. It is double taxation.

It is rather ironic, as I say, that in this brilliant concept of a \$5-per-tire tax, it does not matter what size of tire it is. It does not matter if it is the smallest automobile tire or the largest piece of roadbuilding equipment tire, the fact is that everybody pays \$5.

There are some exemptions in terms of the aviation tires, which are huge, enormous tires, of course, that aircraft use; there are some exemptions, I understand, in construction; but there are a lot of huge tires for which the tax is \$5, the same as for the person who is driving the smallest car

with the smallest tires. Frankly, we think that is irresponsible taxation.

The other thing the Liberal government has lost sight of here is that every time it adds an expense to drivers, it adds a tremendous tax burden to people who do their business in automobiles and trucks. It is rather sad that when we look at driving in a province the size of Ontario, we do not consider the fact that driving in Ontario is a necessity, not a luxury. The fact of the matter is that everything that affects a person who does business in his car or has to use his car or motor vehicle to get to his business has to be added in as an additional cost.

When you are dealing with transportation costs, you are talking about the cost of getting goods to market, so the cost of those goods escalates because the cost of doing business escalates. You contribute to the whole spiral of inflation, because the goods are bought by the consumer, who in turn has to pay the increased cost.

What the minister is doing here, in effect, is taxing what appears to be a very simple commodity, an automobile or motor vehicle tire, but it has broad and far-reaching ramifications. In fact, this sales tax on tires is the single largest sales tax measure in the budget and the one which will impact most directly on the largest number of consumers.

In spite of the fact that the minister may not be aware of it, it is also the measure that has attracted the most organized opposition. The province's tire dealers have expressed a number of concerns about the tax, which were outlined in a letter to the Treasurer by Paul Hyatt, president of Superior Tire Co in Toronto, the past president of the Ontario Tire Dealers' Association and president of the Canadian Tire Dealers' Association. The tire dealers have argued that while they recognize that the problem of waste tires is a serious one and have in fact discussed a number of possible solutions with the government in the past, they have serious doubts about the purpose of this tax.

In fact, the tax will adversely affect government revenues and the public in two ways. It will cause a loss of business to tire dealers in border areas and the government will in turn lose tax revenues as a result of those lost sales, and the tax will lead drivers to keep their tires longer, wearing them to the point that performance and safety are diminished.

1700

It is rather interesting when this is a government that says it promotes business in Ontario

and then imposes a tax which in fact will drive business away from Ontario. It is for sure that any of our border communities and areas close to our borders will simply go over to the United States to buy their tires.

It may seem a small amount to those Liberal members who think that \$5 on a tire is not worth discussing, but in fact it is. All of these taxes which have been imposed on the people of this province are worth discussing, because again, it is the second year in a row that the Ontario Liberal government has taken the largest single tax increase across the board in the history of this province.

I would like the minister to clarify for the people of Ontario again that if they are not able to secure a copy of their sales slip receipt for tires they have bought in the period between the announcement in the budget and now, with his new amendment on certain tire categories with this bill, does that mean they forfeit that tax they have already paid?

Hon Mr Grandmaître: As I pointed out previously, this is an amendment to clarify the classes of tires that are taxable and tax-exempt. I think it is very clear that tires such as those on bicycles, tricycles, wheelbarrows and lawn mowers are not intended to be taxed. I think it is a good move on the part of the Treasurer and the government and I am very surprised that the member for Mississauga South (Mrs Marland) who is, after all, the critic of the Ministry of the Environment, would not support such a move, because I am sure she wants a safer and a cleaner atmosphere and an environmentally cleaner province. I have heard her say on a number of occasions in this House how concerned she is about the environment.

That is exactly what we are doing by taxing tires and exempting others. We are taxing users, for the simple reason that we have to get rid of these tires because we want a cleaner and safer environment. That is exactly what this bill is all about. These dollars will be used to build better environmental programs. With better environmental initiatives, I am sure the environmental critic will support this amendment.

Mrs Marland: Oh, no, the minister cannot get away with that. I am sorry, he cannot get away with that, because, as he knows, I have a motion for the Progressive Conservative caucus this afternoon, and for his benefit, I will read what my motion is, because this motion will recall to him whether what he has just said is in fact what he believes. This motion says,

"For all amounts collected under subsection 2b(1)"—which is the tire tax—"an equal amount shall be designated by the Ministry of the Environment to be used to fund programs to support recycling and environmentally sound disposal of used tires."

To follow what the minister has just said when he says he would think that the member for Mississauga South would support this because I am the environmental critic, he is darned right I will because it is worded in my motion to ensure that.

The truth of the matter is that this government will take this tax the way it takes every other tax and it will put it in their general revenue fund and nobody will know, God knows, where it is spent. That is what we are dealing with this afternoon.

The minister can stand in his seat and very piously say: "We are only charging this sales tax because we want to protect the environment." He is going to have his opportunity to protect the environment and literally put his money where his wishes are by supporting my motion. So he should not throw back at me that aspect, because we have the motion coming up right after his motion where he will be able to say: "Yes, the member for Mississauga South is absolutely right. She is so committed to the environment that I want to make sure that this \$5 per tire sales tax does not go into the Liberal general revenue fund coffers so they can drop money all over the province on vote-getting projects. I want this money to go into the environment."

I will say something else. Before that, in preparing a bill to give to the Treasurer when the Treasurer gave his budget speech less than seven weeks ago, I would have thought that the staff, either in the Ministry of Revenue or in the Treasury office, would have had enough foresight to recognize what kinds of tires needed to be exempt.

I think it is almost ludicrous that we are here this afternoon, saying, "Well, we had better exempt tricycles, bicycles, wheelbarrows and lawn mowers." How come the minister knows that only on 27 June? How come he did not know that when he gave the message to his Treasurer to announce that he was going to tax tires? How is it that none of the staff could have thought of that before they put the Treasurer in an embarrassing position of announcing a tire tax and now, after—

Mr Wiseman: And the minister knows that.

The Chairman: Order.

Mrs Marland: Or how is it then that when the tire tax was announced, the government did not wait to enforce it until the budget bill went

through? How is it that it would not have said to the public of Ontario: "We are going to impose a \$5 tire tax in Ontario, we will let you know what tires they will be, we will let tire dealers know what tires they will be and after we have made that decision, we will then tax tires"? No, the government did not do that. It let the tire dealers go out in this province and charge the consumers \$5, no matter what kind of tire it was. It is really a beautiful example of closing the barn door after the horse is gone.

Mr Daigeler: What about the environment?

Mrs Marland: The minister should not throw it back at me that he would think that I would have agreed with this exemption for bicycles, tricycles and wheelbarrows. The truth of the matter is that we happen to think there should not be a tax on tires of any kind in this province, and we are opposed to this bill. As a matter of fact, we have proposed other methods of tire disposal that do in fact protect the environment. The issue here is the fact that the government jumped at some way of gaining another form of taxation on the people of this province, and did not give enough thought as to what kinds of tires people buy.

Now, as I say, these people have bought these tires, paid the tax and good luck to the people of Ontario if they do not still have their sales receipt. The minister is not answering the question, if they cannot get their sales receipt from their tire dealer, then is the answer that they will not get their refund of their sales tax already paid?

The Chairman: Before you respond, Minister, may I remind all members of the House, including the two members currently having an interesting dialogue, that they should address their remarks through the chair, of course, and not directly to each other.

Hon Mr Grandmaître: I will guarantee to my honourable friend the member for Mississauga South that if her friends, or anybody, for that matter, cannot find their sales slips, to write to me personally.

As usual, I will certainly look after them. We are a generous government. We have a generous ministry and we will look after her friends. I am sure that not only—

1710

Mr Wildman: Don't worry. We're in charge.

Hon Mr Grandmaître: Yes.

I think we must address ourselves to the amendment. I know the honourable member will want to introduce an amendment from the

member for Cochrane South (Mr Pope). This was given to me yesterday afternoon. It is not really her amendment. It is from the member for Cochrane South who could not make it today. But we will certainly deal with her amendment.

The Chairman: Would you like to deal with this amendment right now?

Hon Mr Grandmaitre: Exactly. We will deal with her amendment at a later date.

Mr Daigeler: I must say that I find rather astonishing the suddenly found interest of the Progressive Conservative Party in this particular amendment, since the actual question was raised in the House by myself and I was the one who brought this concern to the attention of the Treasurer. He was, I think, open and flexible enough to realize that there is some area that was not intended to be covered by the tax and he is prepared to correct it.

I would like to point out also to the member for Mississauga South that bicycle and tricycle tires were in fact exempted beforehand. What we are looking at in this amendment is garden equipment and similar types of tires.

I would also like to say I find that what the member for Mississauga South is trying to do rather strains my logic. What the member for Mississauga South is trying to do is that she is trying to say, "Well, there are lots of people who have run-down tires and they are not going to buy any tires, because the tires are too expensive, and thereby endanger the safety of our people." If we follow that kind of logic, next time perhaps we should give the tires out for free.

Mr Wildman: That's a good idea.

Mr Daigeler: Obviously, the New Democratic Party always wants to put everything for free. If it wants to go in that direction, perhaps it can put that to the electorate the next time, but I do not think that is a direction in which a responsible government wants to move. I, for one, am very pleased to see that amendment by the Treasurer, which may be called the Daigeler exemption.

Ms Bryden: I am also very concerned about this particular tax because what it really amounts to is making a 13 per cent tax on every \$100 tire that is bought. That is another tax grab by the Treasurer. He is always looking for new things to tax, so what does he pick? Tires. And who uses tires? Almost all of us.

It is basically another regressive tax. It will hit everybody who drives a car. It will hit everybody who needs to use his car to go to work. It will hit seniors who need their cars in order to get around, especially when they cannot always use

public transit. It will hit people who get goods delivered by any kind of vehicle with a pneumatic tire. It could affect a great number of our deliveries.

It is by no means a neutral tax or a progressive tax. It is an attempt by the Treasurer to just extend the retail sales tax as much as he can, even though he took \$1 billion out of the consumers of this province last year and is planning to take about \$1.5 billion this year. It will affect the cost of everything from bus services to school buses to all goods transport services and to public transit that runs on tires. It is not an insignificant tax and I think we should vote against this tax if we want to tell the Treasurer that we think it is a bad tax.

But I want to say that I think the amendment before us is an indication to us of very sloppy drafting by the ministry, because the Treasurer had announced on 17 May that he thought it should not apply to bicycles, tricycles, commercial airplanes, farm equipment, wheelchairs, production machinery and firefighting vehicles. He had recognized that those items should be exempt, but the drafters of the bill, which was tabled that same day—they must have been somewhat conscious of what the Treasurer was proposing—drafted a bill that really exempted only "a bicycle, a tricycle or a toy, as defined by the minister." He had no other authority to define anything that was exempt, so we have to have this amendment.

While it has merit in correcting the error of not putting in what the Treasurer intended to put in, the amendment has the demerit of giving additional power to the minister to do things by regulation and according to his own decision as to what should be exempt, because the amendment in effect gives him the power to say, in defining the exemptions, that "the tire is attached to or is designated for use on any class or classes of tangible personal property prescribed by the minister." He has carte blanche in this case to decide what sort of tired vehicle shall be exempt.

I think that is giving the minister too much power. What is exempt should be spelled out in the legislation so that the taxpayers know exactly what the tax is being imposed on. Therefore, I intend to vote against the amendment, as well as against section 2b.

Mr Wildman: I am opposed to this, both to the section of the bill and the amendment. I will explain why.

We heard the minister make the environmental argument that if we want to get waste tires and waste rubber recycled and removed from the

countryside and from the dumps across Ontario, then we have to pay a higher tax on tires to do it. Mr Chairman, you will know, I am sure, coming from the kind of riding you represent, that there are many derelict automobiles, not just tires—automobiles, as opposed to derelicts in general—in the countryside. I will refer to the minister through the chair; that is, the chair incarnate as opposed to the chair inanimate. I will refer to you, Mr Chairman, but obviously I am directing my remarks to the minister.

What next? Obviously, we would all like to clean up the environment and the government has a responsibility to lead the way in cleaning up the environment, but what is he going to tax next? Is he going to tax windshield wipers? Is he going to put an extra tax on the motors, the crankshafts or the chassis? There are derelict autos—the options are almost innumerable.

The Treasurer and the gnomes within the Treasury ministry are going to be able to come up with all kinds of possibilities. They could tax every component in an automobile and use the argument, "We have to tax them because we want to clean up derelict automobiles and derelict auto parts across Ontario." If the minister can make this kind of argument and people believe he is going to increase the cost of a tire by \$5 because he wants to clean up the environment, it is just going to give this government the excuse to tax every component of an automobile.

We have all kinds of scrapyards that are not being properly administered in this province. There are derelict automobiles and pieces of cars and trucks on farm land across this province. I do not like it. I think we should be cleaning it up, but I do not think the minister should be imposing a tax on new purchases in order to do it.

I am also a little bit concerned about the exemptions that were originally in this section. It says, "the tire is attached to or is designed for use on a bicycle, tricycle or toy, as defined by the minister." That was the first step in giving too much discretion to the minister.

1720

Mrs Marland: No, the first step was 10 September 1987.

Mr Wildman: As things continue, I sometimes have some sympathy with that comment.

The Chairman: Through the Speaker.

Mr Wildman: Through the Speaker, the chair incarnate.

Why does it say "as defined by the minister"? What is wrong with the drafters of this legislation that they could not put the definition in the act?

How is he going to define toy? Does it just mean a child's toy or does it mean adult toys? Are RVs going to be included as toys? Are these bicycles, four-wheelers, that people use as toys going to be exempt, or are those three-wheeled, all-terrain vehicles going to be exempt?

Hon Mr Grandmaitre: Are they pneumatic? That is what it is.

Mr Wildman: Yes, they are pneumatic tires, so that would be exempt; it is a toy.

Hon Mr Grandmaitre: Some of them are used for working, but very few.

Mr Wildman: Yes, Some of them are used for working, but very few. They are called RVs, they are recreational vehicles, for recreation; they are RVs.

If the minister says, "No, we do not want to include adult toys," if they do include them, they could include trailers, mobile homes, four-wheel-drive vehicles that are used for recreation. They are all toys in the widest sense of the term, but if they do not mean adult toys, then how are they going to determine what is a toy and what is not? How old a person does the particular vehicle have to be designed for, what age group, in order to qualify as a toy?

Obviously, they did not know. They could not come up with a definition because they could not put it in here. They have to leave it to the minister. In other words, they are going to have some unnamed, faceless bureaucrat, sitting off by himself in some little cubby hole of an office—

Mr Pelissero: Playing with his toys.

Mr Wildman: Perhaps playing with his toys. Or it may even be one of those very, very impressive offices in one of the towers here in this complex, the corner office, with big windows looking out over the horizon, looking out over the whole of downtown Toronto, and there is someone there pontificating about what is a toy and what qualifies and how one defines a bicycle—

Mr Pelissero: Two wheels.

Mr Wildman: —and how one defines a tricycle—

Hon Mr Grandmaitre: Three wheels.

Mr Wildman: Well, obviously they were not sure because they had to say, "as defined by the minister"—a bicycle as defined by the minister, a tricycle as defined by the minister, and a toy as—

Mr Reville: Unicycle.

Mr Wildman: They do not mention unicycles.

The Chairman: One member and one toy at a time, please.

Mr Reville: What if you had one that the wheels fell off?

The Chairman: Order.

Mr Wildman: We have one amendment presented to us now, by the minister, which responds to the comments from the member for Nepean (Mr Daigeler) when he rose in the House, I think with legitimate concerns about this terrible ripoff his government is bringing about. He said to the Treasurer in the House, through the chair incarnate, that he thought we should be exempting more than just tricycles and bicycles and toys, as defined by the minister. He thought perhaps farm vehicles and garden vehicles like wheelbarrows and lawn mowers and those kinds of things that have pneumatic tires should also be exempt from this tax that is going to rip off the public.

The Treasurer agreed in response. I congratulate the member for Nepean in getting the government to understand that at least it should not be ripping everybody off, that it should at least be exempting some of our population from this ripoff.

So they bring in an amendment, but instead of bringing in an amendment that defines what kinds of vehicles and tires will be exempt, how do they word this amendment? It is just as bad as the original piece of legislation. They say it is up to the minister by regulation to decide what will be exempt. They do not list what is going to be exempt. They leave it again to the minister, which means that faceless gnome, that bureaucrat, that functionary who is sitting somewhere in the ministry will maybe get a chance to try these out. Maybe he will be able to test all these vehicles and look at all the tires and come up with a list.

Why could the Treasury and the Ministry of Revenue, in all the time they were preparing for the budget, not come up with a list? Why could they not come up with a wording that defines what these vehicles and tires are? My friend the member for Beaches-Woodbine (Ms Bryden) said this was sloppy drafting. She is absolutely right. Any time the government puts something in there about "as defined by the minister," it means either we could not come up with a definition and a wording for the act or we did not bother. Whichever is the case, it is not acceptable.

I have always maintained that as members of this chamber we have a responsibility to pass legislation that is clear and understandable to the

general public. When the government brings in an amendment that says we are going to do it by regulation, that means it either does not know how to word it so it is clear or it has not bothered. It gives far too much discretion to the minister. What is he going to exempt? Maybe he will exempt tires on limousines. Who knows? It does not say "tractors." It does not say "garden vehicles." It just says we are going to do it by regulation and that is not acceptable.

It is our responsibility as members of the chamber, as I said, to pass legislation that is clear and understandable to the public. It is the responsibility of the government, and of those people within the government and the public service who are responsible for drafting legislation, to come up with definitions and wording that is acceptable and understandable to implement the policy of the government.

The government has not done that this time. It is often. There is far too great a tendency for the government to come up with, "We will do it by regulation." We all know that it is also one of our responsibilities as members of this assembly to review regulations, the setting of regulations and what the regulations say. But in reality we all recognize that we almost never review most of the regulations. There is a myriad of regulations that are passed to implement legislation that is passed in this House and they are almost never reviewed by the members of the Legislature.

Oh sure, we have a committee that looks at regulations—

Mr Fleet: Regulations reform report; a very good report.

Mr Wildman: I agree with that. We have a very difficult situation. As government gets bigger and more pieces of legislation are passed, and as this tendency to leave things to regulation expands, more and more regulations are made. In fact, regulation is really invisible law. It is administrative law. It is law that is passed without proper debate and discussion in the House. It is not the way we should be doing things if we believe in democratic debate on things such as the imposition of tax. That is the most basic democratic right members of this Legislature and the public of Ontario have.

Our whole parliamentary tradition developed from the demand by the populace to have a say about the imposts that were placed upon them by the crown, the right to debate what kinds of taxes and what level of taxes should be raised in order to administer the government of the country. It is our responsibility as legislators and as parliamentarians to oversee the purse-strings of the

government, how the government raises revenue and how the government expends that revenue. If we do it by regulation, then in my view we are not meeting our obligation as members of this House on behalf of our constituents to oversee the raising of revenue in this case, because we are leaving it to some functionary to decide what is going to be exempt and what is not.

For those reasons I reject the original purpose described, because I believe it to be an excuse. This is, in fact, an attempt to raise more money from the public. The excuse that "We are going to use this money to clean up the environment" is just that: an excuse. I reject it for that reason. I also reject the amendment because it is poorly drafted and it leaves to regulation what should be done in debate and by voting in this Legislature.

1730

Mr Wiseman: I was not going to enter into this debate, but as I was doing my correspondence here I came across a letter from a constituent of mine who went out to buy a wheelbarrow for Father's Day and was charged the tax. She wanted to save her husband, who is retired now, from probably hurting himself and she still wanted him to do the gardening and one thing and another. Maybe the minister from the Ottawa area does not get a chance to work in the garden, but he can come up to Lanark and see how it is done.

He goes on to say—it is the husband writing the letter—that he was not going to run up and down Highway 401 and wear out the rubber or whatever on the wheelbarrow. Knowing him as I do, the wheelbarrow would have a good home. Anyway, to rub salt on the wound, he was not only charged—

Hon Mr Grandmaitre: Is the 401 in Lanark?

Mr Wiseman: No, but he thought maybe the minister might think he had it out on the 401.

To make matters worse, they added the \$5 to the price of the wheelbarrow, which was \$49.99, bringing it to \$54.99, and then they added the eight per cent tax, or \$4.40, bringing the total to \$59.39. This man has saved his sales slip and he will go back to collect from the Canadian Tire dealer, but over the 18 or 19 years I have been here, usually a tax of this sort is brought in, things are thought out a little more carefully, as some of my colleagues who have gone ahead of me have said. You would think that things like bicycle tires, wheelbarrows and other things that are used around the garden, probably a cultivator or something like that, would have been exempt right from day one.

It is all right for the member for Scarborough-Ellesmere (Mr Faubert) and others here who are shareholders in Canadian Tire, I understand, to throw it all back on the retailer and say, "The retailer will refund that." But when the person has not got a sales slip and they are so busy in some of the retail stores that they cannot remember if they sold it to Mrs Jones for Father's Day or whatever, they are out the money. The retailer takes it in the neck.

The government says the retailer can refund that. Then he has another transaction to make because of the government's inability to look at it and correct it in the first place. If he gives a refund, his clerk is tied up in giving the refund; then he has to deduct it off his daily sales and all those things that he gets peanuts for. If he happens to be over the deadline for sending in his tax, the government jumps on him and charges him 10 per cent of the total tax for that month plus taking away anything it would have given him for collecting the tax. The poor retailer is the one who suffers in this case.

The member for Mississauga South said the people will go across the border and buy their tires. That is true. Whether the government likes it or not, \$20 for four tires plus the tax—it is quite close down where I live or where the member for Leeds-Grenville (Mr Runciman) lives, or any of the ridings along the border there, to slip across and pick up the tires in the United States.

Then they do not get their \$20, or \$5 a tire, and they do not get their eight per cent tax on that, but they do not help the manufacturers that are creating jobs in Ontario. I am sure the new tire company that is going down to Napanee would be concerned, because a lot of tires will be bought in other jurisdictions.

I never dreamt of the government taxing tires. When you take your car in for a checkup to make sure it is roadworthy, you have to have all the tires checked. If someone knows he has a bit of a problem with a tire or two, he may put off for a short time replacing those tires. Goodness knows, we have enough accidents on our highways these days that we do not need to encourage them.

Again, farm tractor tires, wagon tires and things of that sort, when farmers are having a hard enough time—I do not think the minister exempted those. If he did, I did not hear about it.

Hon Mr Grandmaitre: Yes, they are exempt.

Mr Wiseman: Farm tractor tires are exempt in this regulation.

Hon Mr Grandmaitre: No, in the original.

Mr Wiseman: All right.

Hon Mr Grandmaitre: You see, we're not all that bad.

Mr Wiseman: All I am saying is that the government jumped at this. It was a way of collecting some more tax dollars. They went into it too fast, without thinking it out. As my colleague the member for Mississauga South said, and the minister smiled after she said it, he knows and I know that when the Treasurer gets his hands on the money he collects for that, it is not going to filter over to the Minister of the Environment (Mr Bradley). We could go back to the fishing licences. That has gone into the Treasury; everything he gets his hands on. He will not earmark it to any particular ministry. No Treasurer has ever done that and this Treasurer is not about to do it either.

The minister cannot get the people of Ontario to believe him on that unless he supports my colleague's motion when she brings it up. Then it will show that at least he believes that is going to take place.

Mr Fleet: The exercise of watching and listening to the opposition debate this bill is rather akin to watching somebody huffing and puffing and peddling furiously on a stationary bicycle. The wheel goes round and round and they never get anywhere. I suppose in a way that some of my comments will be kind of putting a stick in their spokes, but the reality of the matter is that this is a good bill. It is a bill I support.

I want to point out to my friends in the opposition that I stood in this House in mid-February and put a question to the Treasurer in anticipation of budgetary considerations and urged that there be an environmental protection tax. I had the courage to say that if we are going to have a philosophical basis upon which we are going to impose taxes, it ought to relate to putting a tax on products that are either difficult to dispose of or that cause other environmental problems.

In fact, I believe that the people of Ontario are prepared to address these issues in a far more responsible way than I am hearing from the opposition, with all due respect to their concerns.

I was pleased to hear the member for Algoma (Mr Wildman) with his comments about regulations, but I am wondering where his party support has been. How many letters have they written to the Attorney General (Mr Scott), for instance, to move on the regulatory reform report? If that is the concern, then perhaps they ought to be addressing that issue. The member will know well my concerns in that area.

I do believe that the regulation system can be improved, but the reality is that this is a tax bill. It is designed to improve environmental conditions in Ontario. There are millions and millions and millions of discarded tires in Ontario. They are very difficult to dispose of. You cannot safely burn them; you cannot bury them. They are not just going to go away. There are millions more being added, year after year after year, and it is a major problem.

1740

There is a great deal of cynicism on the part of the opposition members. They do not believe any money is going to be spent on the environment. Of course, the environmental budget has gone up year after year under this government.

In addition, I would like to quote very briefly from the budget, which announced this particular measure. It says, "The tire tax will help fund efforts to support recycling and environmentally sound disposal." That is, in a nutshell, the reason for doing it. This government is responding to an urging that I had to have an environmental protection tax, at least in respect of this product and I hope in respect of other products. The reality with respect to the protection of the environment is that we are concerned, but it is going to cost money.

I am being given a signal. I would like to speak longer because I care very deeply about the issue of the environment and protection, but I recognize that there is a lot to be covered today in the House and a lot of business to be transacted. But I really want to encourage the members of the opposition to take heart and to have more faith in the system as it is operating here. In fact, this is a positive step. It is going to improve the environment and it is the kind of responsible measure that I think all members should be proud to support.

Mr Wiseman: Boy, is he ever looking for cabinet, eh?

Hon Mr Grandmaitre: He's welcome to it.

Mr J. M. Johnson: If the minister will listen, I will be very brief. I mentioned this to the minister yesterday and he did not answer; he paid very little attention. I mentioned that he is charging tax on tax. For example, on a \$100 tire, he adds on \$5, so the total price of the \$100 tire then becomes \$113.40. So his tax is really 13.4 per cent. That is tax on tax, and I find that repulsive.

The other point was mentioned by my colleague the member for Mississauga South, but I had the matter brought to my attention by a

Canadian Tire owner who sold a lot of lawn mowers, wheelbarrows, tricycles and bicycles since 1 June, who has many customers who paid the taxes. Now, under this proposed amendment, the tax is not applicable. The minister is then going respond to these people, I understand, if they wish to write him and request a refund of the dollars paid for this inadvertently drafted piece of legislation.

Is the minister going to notify the retail stores in this province that they have been collecting tax illegally for the last month or so? If he does, I think he should come up with a scheme of being able to repay them, other than having them write him. Many of the people do not keep receipts, so one cannot hang one's hat on that. The minister had better think of some policy he can put in place to reimburse those people who have paid this tax and really were not obligated to do so. Hopefully, in the future, when he considers tax increases, he should have some idea of what he is doing before he does it.

Ms Bryden: The minister had said that he would accept receipts for refunds or arrange to look after, in quotes, his friends, who had paid the tax but had not kept their receipts. I hope he did not mean just members of the Liberal Party or supporters of the Liberal Party.

Mr Villeneuve: I have just a few comments. I speak now for some tire retailers in the riding I represent. They are close to the Quebec border. There are two international bridges, one at Johnstown and one at Cornwall. It is very easy to get across to have a new set of tires put on.

I have had occasion to speak to a number of retailers. Without mentioning the names and the number of people who have contacted me, we have towns such as Glen Robertson, Lancaster, Green Valley, Bainsville, Apple Hill—the minister would know that Apple Hill has a big retail tire dealership—Cornwall, Kemptville and Morrisburg.

Those are all within a half-hour's driving, and less than a half-hour's driving from either New York state or the province of Quebec and, in many instances, within a half-hour of either one of those. The minister is presiding over the demise of these dealers. They are telling me the way he has priced taxes, and what does he tell them? I want him to tell me what to tell them. What is he going to do for them? He is presiding over their total demise.

Hon Mr Grandmaitre: Mr Chairman, I am the minister of national defence, today. Everybody is attacking this bill. I will not try to respond to every argument, because we have had quite a

bit of doubling today from the member for Wellington (Mr J. M. Johnson), the member for High Park-Swansea (Mr Fleet)—where is he? He has gone. After a great speech he left—the member for Lanark-Renfrew (Mr Wiseman), the member for Algoma and the member for Mississauga South. Nobody likes to pay taxes, but they must remember that this government needs tax dollars to provide for their programs and our programs, and the tax dollar that has been imposed on those tires will go to provide a cleaner environment.

I want to remind the member for Mississauga South that is where most of the dollars will go. If they do not go to recycling these tires, then they will go back to the Minister of the Environment for other programs. I do not have to enumerate them. The member knows them better than I do. I am sure that she will approve when the Minister of the Environment introduces a new program in this House and will be assisted by these tax dollars.

The member for Lanark-Renfrew has gone, too. What a bunch. I think we should have a tax on hit and run here, because everybody is hitting me and then running away.

Mr Wildman: He has gone out to buy some tires before this passes.

Hon Mr Grandmaitre: I see. I know that the member for Algoma was asking us if we included the tax on—what was it?

Mr Wildman: RVs.

Hon Mr Grandmaitre: Recreational vehicles. They tell me the only difference between a man and a kid is the price of his toys.

Mrs Marland: That was the point.

Hon Mr Grandmaitre: That is not a toy. One has to pay taxes. Anyway, I want to conclude by thanking the honourable members for supporting this great bill and this amendment.

Mr Villeneuve: Then what will I tell my retailers? I am here.

Hon Mr Grandmaitre: No, I think I have addressed this. The member for Stormont, Dundas and Glengarry was not in the House and I already answered his question.

I hope that every member will support this amendment because I think we can improve the environment in this province with more tax dollars. People have to pay for cleaner air.

The Deputy Chairman: I will now put the question.

Is it the pleasure of the committee that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Motion agreed to.

1750

The Deputy Chairman: Mrs Marland moves that section 2b of the act, as set out in section 3 of the bill, be amended by adding thereto the following subsection:

"2b(4) For all amounts collected under subsection 2b(1) an equal amount shall be designated by the Ministry of the Environment to be used to fund programs to support recycling and environmentally sound disposal of used tires."

Interjections.

The Deputy Chairman: Order, please. I am attempting to make reference to the standing orders.

Standing order 15 reads, "Any bill, resolution, motion or address, the passage of which would impose a tax or specifically direct the allocation of public funds, shall not be passed by the House unless recommended by a message from the Lieutenant Governor, and shall be proposed only by a minister of the crown."

By reason of standing order 15, I rule that this motion is out of order.

Mr Wildman: On a point of order, Mr Chairman: I am in no way debating your ruling. I just would ask if, since the minister made the argument in the last debate that this was the reason for the piece of legislation, perhaps the minister would consider this a friendly amendment and might even reintroduce such an amendment himself at this time.

The Deputy Chairman: Just a moment. Rather than indicate that that is not a point of order, you are free to ask the minister a question if you so desire.

Mr Wildman: I would in that regard then ask the minister, since he has indicated, as my friend the member for Mississauga South would know, that the purpose of the imposition of this \$5 tax on tires was to enable the government to collect revenue that would be then used to clean up the environment and to remove tires and recycle, would he not now be prepared to move an amendment in the debate that would in fact put right into the legislation that the moneys raised from the tax on tires will be expended on cleaning up the environment?

Hon Mr Grandmaitre: I know the member for Algoma is sincere about this. I am sincere and I think this government is sincere. The Treasurer

was sincere, when he thought about this tax, that these dollars will be going towards environmental programs. I have great confidence in the Treasurer and I am sure that all of these dollars will be directed to improve the environment of this province.

The Deputy Chairman: Therefore, in the absence of a government motion, this motion is out of order.

Mrs Marland: Mr Chairman, may I ask a question of the minister?

The Deputy Chairman: Yes, you may.

Mrs Marland: I think I heard from the minister within the last hour that the intent of this taxation was for environmental purposes, and he just read with me a copy of my motion, which would specifically designate those funds for environmental purposes, and I heard his response to my colleague in the New Democratic Party that he has complete faith in the Treasurer.

I think, since he is the mover of Bill 22, that he would like to amend his own bill so that the intent and the integrity of that bill is held under his flagship, as it may well be. I do not think he would be taking away from the Treasurer the faith in his process, but I would like to ask the minister if he would, with my pleasure, as a matter of fact, take exactly my own words of this motion and place it as his own amendment to Bill 22.

Otherwise, I think the comments that the minister made earlier this afternoon, I say with respect, would not have any meat or substance, because it is a matter of dealing in blind faith with a process that does not exist. I am sure he would want to confirm his intent about the taxation which he is introducing on tires for the purchasers of new tire products. Therefore, I respectfully ask him to take my amendment and place it in his own words, under his own name, to amend his own bill, an amendment which in fact confirms, in his words, the spirit of his bill.

If indeed the spirit of his bill is that a taxation on tires will be an amount of money solely for the purposes of programs dealing with recycling of tires and some other forms of tire disposal which are environmentally sound, I would say that the minister would have no difficulty confirming that by moving this amendment and I so ask him.

Mr J. M. Johnson: I might just ask the minister to consider the precedent that was set by the Minister of Natural Resources (Mr Kerrio) when he levied the \$10 licence fee on sport fishermen to enhance the sport fishing in this province. That money was earmarked directly to

his ministry. Why could he not do the same thing as the member from the member for Mississauga South is requesting and have it earmarked for the Ministry of the Environment?

Hon Mr Grandmaitre: I will not repeat my previous answer to the member for Algoma. Again, to the member for Mississauga South and the member for Wellington, I have great confidence in the Treasurer of this province. We have done it in the past. These dollars will be directed to clean the environment and I am sure that every dollar, if not applicable to the disposal of used tires, will be used to clean up the environment.

The Deputy Chairman: Shall section 3, as amended, stand as part of the bill?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Section 3, as amended, agreed to.

Sections 1 and 2 agreed to.

Section 4:

The Deputy Chairman: Mr Grandmaitre moves that subsection 2c(4) of the act, as set out in section 4 of the bill, be struck out and the following substituted therefor:

"(4) For the purposes of this section, the highway fuel consumption rating of a passenger car shall be deemed to be the lesser of,

"(a) the highway fuel consumption rating most recently published by the Department of Transport (Canada) of cars matching the description of the passenger car, if such a publication is available publicly at the date of sale of the passenger car; or

"(b) 18.1 litres per 100 kilometres."

Mrs Marland: As will be noted, this tax, commonly known as the gas-guzzler tax, on certain large automobiles—

Hon Mr Grandmaitre: For a cleaner environment.

Mrs Marland: I am not arguing against it, if the minister could just wait until I have the question for him, which I know he will want to

answer. The fact of the matter is that this tax becomes effective, according to the bill, on 1 July. A further fact of the matter is that this tax has been imposed on purchasers of those automobiles for some time now, and I would give as an example probably five or six weeks.

Is it the intention of the minister to give rebates to the people of this province who have already bought these cars and have been taxed for them when it becomes effective only on 1 July?

I see that perhaps the minister is being advised by his staff that it was not effective prior to 1 July. Then I guess what begs the question is, as Minister of Revenue is he going to have his staff check all the automobile dealers who may have inadvertently been charging this tax since the announcement in the budget? Quite frankly, I must tell him it is the case that the tax has been charged on those cars over that certain size.

Hon Mr Grandmaitre: It is very difficult. We are only in June and this—

The Deputy Chairman: Please, in view of the hour, the government whip, the member for Middlesex.

Mr Reycraft: I know the minister wants to respond to the question, but having heard all of the question, I know that the answer will be a lengthy one. Given the fact that we are already past the hour of automatic adjournment, I wonder if it might not be appropriate for the committee to rise and report now.

On motion by Mr Reycraft, the committee of the whole reported progress on one bill and reported one bill with certain amendments.

BUSINESS OF THE HOUSE

Hon Mr Sweeney: On behalf of the government House leader, I would like to serve notice that a motion of nonconfidence under standing order 78, standing in the name of the member for Sarnia (Mr Brandt), will be debated tomorrow under the orders of the day.

The House adjourned at 1803.

ALPHABETICAL LIST OF MEMBERS*
(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

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|---|---|
| Adams, Peter (Peterborough L) | Fontaine, Hon René , Minister of Northern Development (Cochrane North L) |
| Allen, Richard (Hamilton West NDP) | Fulton, Hon Ed , Minister of Transportation (Scarborough East L) |
| Ballinger, William G. (Durham-York L) | Furlong, Allan W. (Durham Centre L) |
| Beer, Charles (York North L) | Grandmaître, Hon Bernard C. , Minister of Revenue (Ottawa East L) |
| Black, Kenneth H. (Muskoka-Georgian Bay L) | Grier, Ruth A. (Etobicoke-Lakeshore NDP) |
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| Brown, Michael A. (Algoma-Manitoulin L) | Henderson, D. James (Etobicoke-Humber L) |
| Bryden, Marion (Beaches-Woodbine NDP) | Hošek, Hon Chaviva , Minister of Housing (Oakwood L) |
| Callahan, Robert V. (Brampton South L) | Jackson, Cameron (Burlington South PC) |
| Campbell, Sterling (Sudbury L) | Johnson, Jack (Wellington PC) |
| Caplan, Hon Elinor , Minister of Health (Oriole L) | Johnston, Richard F. (Scarborough West NDP) |
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No. 33

Hansard

Official Report of Debates

Legislative Assembly of Ontario



Second Session, 34th Parliament

Wednesday 28 June 1989

Speaker: Honourable Hugh A. Edighoffer
Clerk of the House: Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 28 June 1989

The House met at 1330.

Prayers.

VISITOR

The Speaker: I would ask all members of the Legislative Assembly to recognize in the Speaker's gallery the United States representative to the United Nations Human Rights Commission, His Excellency Armando Valladares.

Please join me in welcoming our guest.

MEMBERS' STATEMENTS

TAXATION OF MINING COMPANIES

Miss Martel: On Monday I had the opportunity to meet with two busloads of senior citizens from Sudbury and area who were demonstrating outside this Legislature. They were here calling on the government to amend the Assessment Act to ensure mining companies pay their fair share of municipal taxes. Further, they were seeking a commitment to review the regional government structure in light of duplication of services.

The concerns of these seniors are legitimate and the frustration associated with the Assessment Act in particular is shared by taxpayers in mining communities across this province. First, the Assessment Act does not allow for taxation of underground mining operations. Those companies moving more and more of their equipment underground are benefiting from a reduction in this level of assessment to the detriment of local individual taxpayers.

Second, the act does not recognize the need to tax mining company operations located outside municipal boundaries. The town of Ignace, for example, cannot assess the operations of Mattabi Mines, in spite of the fact that the employer enjoys the services provided in that community. The resource equalization grants provided by the provincial government to compensate for this loss in no way reflect the revenues Ignace would obtain if proper assessment were implemented.

The demonstration here on Monday by the Sudbury seniors is evidence that people on fixed incomes cannot accept their increasing tax burden in the face of decreasing mining company assessment. Surely it is time the government responded with changes to the Assessment Act.

PETERBOROUGH RAPE CRISIS CENTRE

Mr Jackson: I wish to advise all members of this House that two days ago the Peterborough Rape Crisis Centre notified this government that, because of the serious financial situation it finds itself in, if relief is not obtained from the provincial government it will be forced to close its doors. In fact, the board of directors will be meeting tomorrow night and the purpose of that meeting is to plan the office closure and the staff severances.

It strikes me that at a time when this government has stated that it has a commitment to fighting violence against women, that it has a stated policy objective in that area, it must produce the necessary dollars to ensure that these centres remain open. In fact, when the government says that it increased this centre's budget by 14 per cent last year, it failed to recognize that the increase in victim-client counselling increased fourfold. Statistics like that are burdening rape crisis centres all across Ontario.

Quite frankly, we have not heard yet from the acting Solicitor General (Mr Scott) whether he will be able to assist the Peterborough Rape Crisis Centre, but it strikes me that, given the legitimate pleas of the centre, this government must act sensitively and swiftly to ensure that the Peterborough Rape Crisis Centre is not forced to close this weekend.

POLITICAL MORALITY

Mr Daigeler: As a trained theologian, permit me to reflect in a spiritual light on recent events surrounding this House. Such a perspective may be unusual, but could we not all benefit on occasion from a more in-depth analysis of our day-to-day experiences?

Public opinion today seems to require that politicians leave behind, at the time of their election, all human frailty and weakness. This reminds me of a time when priests were idolized as holy men simply because of their ordination. Unfortunately, human error, weakness, temptation, do not cease after we enter this chamber, nor do they stop at a sacristy's doorstep.

Remembering our ordinary human condition is no excuse for downplaying, or even less, for tolerating error and moral failure, prices must be

paid for mistakes made. However, a price we should not pay is our continued faith in our collective ability to redress problems, to learn from past bad experiences and to maintain a critical but confident pride in our political traditions and leaders.

CONSERVATION OFFICERS

Mr Hampton: Conservation officers do important work in protecting and conserving our natural resources. Unfortunately, the important work that our conservation officers do does not seem to be accepted or at least is not appreciated by the Ministry of Natural Resources, which employs them.

The kind of work a conservation officer does often involves very dangerous activities. If you can imagine a lone conservation officer, 20 or 30 miles away from the nearest town, walking into a group of hunters, all of whom have weapons, and telling them that they are hunting illegally, that they are doing something illegally or that he wants to check their equipment, that in itself can be a very threatening situation. It is the kind of work which should be recognized both in terms of the classification system within the civil service of Ontario and in terms of pay. Sadly, under this government that kind of work is not recognized and conservation officers are quite frustrated by it.

Second, if the government really believes in what it says about resource conservation, we could use more conservation officers. We simply do not have enough of them in our communities across northern Ontario, and those who are there are overworked, undersupported and underpaid.

1340

GOVERNMENT'S RECORD

Mr McLean: My statement concerns this government's second \$1.3-billion tax grab in as many years, that forces the people of Ontario to pay more to do just about everything in this province. This dipping into the pocketbooks of just about every man, woman and child in Ontario comes at a time when we are hearing some pretty shocking revelations about favours accorded to friends of this government.

When we stop to think about the \$1.3-billion tax grab, which saw higher personal income taxes, higher gasoline and fuel taxes, a new payroll tax, a new tire tax, the option to use lot levies to fund local development costs and increased land transfer taxes, one simply cannot blame the public for growing cynical and for bringing into question the ethics and judgement

of elected officials and political appointees in the province of Ontario. The application of the \$1.3-billion tax grab, coupled with the allegations of blatant political payments from a charitable foundation, leaves the public with the distinct impression that this government is robbing Peter to pay Paul.

Only by withdrawing the tax increases and new taxes contained in the budget and by introducing strict standards of conduct for government ministers and backbenchers can the Premier (Mr Peterson) restore public confidence and ensure that the critical issues facing Ontario will receive undivided attention.

MUSKOKA-GEORGIAN BAY TOURIST AREA

Mr Black: Sometimes media reports do tend to mislead the public and I would like to set the record straight in regard to my riding of Muskoka-Georgian Bay. Recent reports suggest there might be problems with natural pests and with transportation routes leading to Ontario's vacation lands. I want to tell all members of this Legislature as well as the people of Ontario that those reports have been vastly exaggerated. In fact, through the efforts of the Minister of Transportation (Mr Fulton) and the very excellent staff who work for him, roads to Muskoka and Georgian Bay are open and traffic is moving well.

Through the efforts of the excellent staff of the Minister of Natural Resources (Mr Kerrio), members will be pleased to know that the epidemic of the tent caterpillar which was predicted for Muskoka-Georgian Bay has not materialized. Due to the very warm weather we have enjoyed in the past few days, the blackflies are just about at an end. So I say to all members of this Legislature and the people of Ontario that now is the time to return to Ontario's premier vacation land. Now is the time to join the people of Midland as they celebrate the 350th anniversary of Sainte-Marie among the Hurons and enjoy the crystal-clear waters of Georgian Bay and the lakes of Muskoka. Come to us and enjoy a beautiful summer in Ontario.

HIGHWAY CONSTRUCTION

Mr Cousens: Having listened to the honourable member for Muskoka-Georgian Bay, I happen to feel he must be taking a route north other than Highway 400, because when they have it coming down to two lanes there is a backup for miles. Probably the honourable member is taking back roads and he does not

realize just how bad the main roads are. The one thing he is right about is that it is a beautiful area to be in, but the province is making it more and more difficult for people to get up there.

The other day when I asked the Ministry of Tourism and Recreation to give us some tourism data, it did not seem to have any. Why do we not begin to start really promoting the province and building it, so that people can get around and enjoy it instead of blocking their way up north? Right now there are serious problems on Highway 400. I am convinced the member for Muskoka-Georgian Bay is not using that highway, because otherwise he would not have made such a statement.

STATEMENT BY THE MINISTRY

DEVELOPMENT OF GOVERNMENT LAND

Hon Mr Patten: It gives me particular pleasure to rise today to inform the honourable members of the House about an initiative using provincial lands on the former Lakeshore Psychiatric Hospital grounds in Etobicoke to address two key public concerns—housing and the enhancement of public park land.

This proposal includes the development of more than 2,000 homes on a 60-acre parcel of land owned by my ministry and by the adjacent land owner, Humber College.

About half of these units would be aimed at low- and moderate-income earners. The mix of housing styles would include nonprofit and moderately priced rental housing, as well as moderately priced homes for people to buy. There will also be a market price component to ensure a broad range of housing opportunities.

This proposal will also create an additional 10 acres of park land within the development to complete and complement the adjacent 32 acres of park land this government transferred two years ago to the Metropolitan Toronto and Region Conservation Authority. The total park land in the area will now be 42 acres.

To encourage balanced community development, the proposal incorporates the preservation of historic buildings, the extension of Kipling Avenue south of Lakeshore Boulevard, the development of an office building and an expanded local office and retail space, and a new building to house community outreach programs of the ministries of Health and Community and Social Services, which currently occupy some of the historic structures on the hospital grounds.

The public has been consulted throughout the development of this proposal. My two colleagues the ministers of Housing (Ms Hošek) and

Colleges and Universities (Mrs McLeod) met with the community on the former hospital grounds to unveil the plans for this balanced neighbourhood community at noontime today.

This proposal fulfils a commitment made by this government under the Housing First policy, which was to review surplus lands for their housing potential.

We will now be able to seek municipal approval to use these lands to provide a range of needed housing in Metropolitan Toronto while at the same preserving the architectural and natural heritage of the hospital site as a unique setting for Humber College's new campus.

With this proposal, we will create a new, balanced neighbourhood that is linked to the unique environmental and historic elements of its surroundings.

RESPONSES

DEVELOPMENT OF GOVERNMENT LAND

Mr Breagh: I want to respond briefly to the statement made by the Minister of Government Services (Mr Patten). I understand the Minister of Housing (Ms Hošek) was present at the site for part of the festivities. The member for Etobicoke-Lakeshore (Mrs Grier), unfortunately, has neither limousine nor driver to get her back here as quickly as they do, but I know she would want us to join in the—

Mr Reycraft: The subway goes faster than I do.

Mr Breagh: I am very pleased that on the government side they want us to take the subway. We would, if we could, but there is no subway from Etobicoke-Lakeshore to here. They might look into that.

We do, however, think there is something of great significance that really should be marked. This is one of the first major pieces of government-owned property that is being proposed now with a fairly substantial housing component to it. All of us understand that this is sometimes a difficult process to try to negotiate with community groups, and often with competing interests, to try to put together a plan.

The government should be congratulated for at least doing that, for going through the motions in the proper way, in my view, of consulting with the local community; of trying to put together several elements, often a very difficult thing; of trying to work in a component of something that is very important to us today, that is, affordable housing; of utilizing an existing site without destroying the park land and historic buildings

that are there, and of trying to respond to the needs of a local community.

If we have any hesitation it is probably about, I guess the polite way to say it is, the unknown role of the private sector. What will they do as this development proposal proceeds? We will monitor that with some care.

We understand that a project of this scope has not been undertaken in quite this way before. We think that the government has adopted a stance that is supportive of consulting, of trying to meet and deal honestly and openly with the arguments that are there about competing interests for a very valuable asset, land of this nature.

1350

I am sure the member for Etobicoke-Lakeshore and all members would welcome the addition of affordable housing on this scale in this community, where it is a serious problem. I think we are sensitive to the needs of the local community. We are trying to balance off park land, historic buildings, local needs and general needs in a community. That is not an easy task. We think the government has started off on the right foot. We will watch with great interest and great care to see if the delivery is anywhere near the promise.

Mr J. M. Johnson: I too would like to congratulate the minister on this initiative. It just shows that once in a while, when the government does something right, we are very pleased to give it credit.

I am very pleased that the minister has had public consultation with Humber College and with the municipal council. I encourage him to continue in this endeavour so that all interested parties have a say in the development of the proposal so there is satisfaction.

I also strongly urge him to give very serious consideration to having a full and open development process as well, so there will not be any problems relating to the awarding of contracts. As the member for Nepean (Mr Daigeler) mentioned earlier, at times we do have to consider the concerns of the citizens. If the process is open, if there is full input from all the parties involved, then the minister is to be congratulated.

I noticed in the minister's statement that half the units would be aimed at low- and moderate-income earners. The mix will be nonprofit and moderately priced rental housing. I encourage the minister to consider more than half of these units. There is a need for more low- and moderate-priced housing rather than for expensive housing. He should try to work in that

direction so the people who are in real financial need for homes do have the opportunity to be able to either rent or buy their homes.

My congratulations once more to the minister on behalf of my party on this initiative.

ORAL QUESTIONS

PATRICIA STARR

Mr B. Rae: I have a question for the Premier today. He will know, no doubt, from reading the paper today, of another allegation with respect to influence being exercised by Mrs Starr on the Ministry of Housing. It was partly during the previous administration, when his colleague the Minister of Skills Development (Mr Curling) was the Housing minister. I cannot ask him, so I will have to ask the Premier.

I wonder if the Premier can tell us how it could possibly have happened that a project which was announced, and appeared from all the signs to have preliminary approval, was in fact turned down at the very last minute, the last stage, by the ministry, and that another project which was being promoted by Mrs Starr went to the top of the list with respect to new development in Scarborough. Can he tell us how that happened?

Hon Mr Peterson: The Minister of Housing has all the details on that, I am told. I would refer it to her, if I may.

Hon Ms Hošek: I am advised by my staff that the previous Minister of Housing decided that an allocation at that time for this project, which is the Homeward Family Shelter, I understand, was premature because of the site, which had no shopping, no postal service and no transportation on it. I am also told by my staff that there is no connection between the decision to give the Jack Goodlad Senior Citizens Residence an allocation and the decision not to give one to the family shelter.

Mr B. Rae: The fact of the matter is that a Toronto Transit Commission line was in the works, a 50-store mall was being constructed across the road and the reasons which the ministry gave for the cancellation were entirely bogus. In fact, the site was not isolated, a mall was being proposed and a TTC line was equally going to be there.

I wonder if the minister can tell us why the former minister would have refused a project that was already announced by his ministry, allocated in a press release which went out on 22 January. Why would he turn around and say at the very last minute, "Sorry, no go"?

Hon Ms Hošek: The member opposite should know that there is a process of announcing nonprofit housing in which a preliminary allocation is given and then it has to go through a variety of other processes before that is made permanent. That is a norm, as he knows.

Mr B. Rae: And cleared by Patti Starr?

Hon Ms Hošek: I assume the member opposite would like the answer to his question, which I am trying to give him.

What my staff have said is that the previous minister decided, as it is his role to decide on final allocations, that, at that time, that allocation was premature because there was then no shopping, no postal service and no transportation on the site.

As the member opposite also knows, proposals of this sort are considered on their individual merits. What he should also know is that in this case, as in many others, when the decision was made not to go forward at that time, staff continued to work with the people who proposed this particular project to find a suitable site.

Mr B. Rae: Whenever I listen to the minister, particularly today, I am reminded that today is the last day of school. But the question that I have for the minister is this—

Hon Mr Elston: It's time for you to find a new school.

Mr B. Rae: It takes a while.

The Speaker: Order.

Mr B. Rae: There is a very specific allegation contained today in the paper, which the minister will know, the allegation being: How was it that Patti Starr heard about the fact that this proposal had been turned down? Why was Mrs Starr phoning anybody on anybody else's behalf with respect to this proposal? How could that have possibly happened? What was Mr Goetz-Gadon's involvement in this whole sorry saga?

Those are the very particular problems that are at stake here. The integrity of the minister's housing list and the views and feelings of literally hundreds of groups out there that are applying for housing are what are at stake. If they feel that whether they get to the top of the list depends on who they know, there is something—

The Speaker: Thank you. There were four questions actually asked.

Hon Ms Hošek: The member opposite has a number of times alluded to the fact that in one of the previous parts of my life I worked as a teacher. Let me say that I am proud of that work and the member opposite might want to wonder how his comments affect members of his own

caucus who started out as teachers who may not appreciate that particular approach. But let me, on the last day of school, give the member opposite the answer to the question that he asked.

Interjections.

The Speaker: Order.

Hon Ms Hošek: The work that we do in the Ministry of Housing with literally hundreds of nonprofit groups all across the province is extremely important to me, as the member opposite knows. We work with them to help them develop their proposals. The ministry works with them to make sure that as much nonprofit housing as we can manage to build in this province gets built. We work very successfully with nonprofit groups across the community, and I am very proud of the work that we do.

In this case, the minister, as was his role and his right, made a decision about a particular project. Let me just make it clear. He decided this on the basis of his reading of what was going on at that site and he did what he thought was right at the time.

PUBLIC INQUIRY

Mr B. Rae: I would like to ask a question now to the Premier. We have had some discussions in this House about what the terms of reference of the judicial inquiry or royal commission should be with respect to what is going on.

I wonder if the Premier could tell us whether he is prepared to have a royal commission which, instead of dealing simply with allegations involving Mr Ashworth and Mrs Starr and Tridel, would in fact be a royal commission that would look into the whole relationship between the development and construction industries and governments in Ontario, municipal and provincial as well as federal, so that we can have some serious recommendations on the electoral process, political contributions, land use planning, speculation and land ownership, and deal with the whole problem, not simply to solve the political problem which the Premier now has but to deal with the public problem which the whole province has.

1400

Hon Mr Peterson: My honourable friend raises a number of policy questions, and I understand that. Let me say that the Attorney General (Mr Scott) is reflecting on those broad terms of interest. The member is aware of the suggestions made by certain people with respect to the nature of the inquiry, and I understand that.

But I think we could see an inquiry potentially going on for 10 or 20 years in that regard.

If we were to look into the development relationship of various people in Peterborough, London, Nepean or Fort William, I ask my friend how productive that is going to be in the long term. Perhaps we have to deal with the policy implications of that here in this House.

The judicial inquiry that we have called deals with a specific set of allegations and specific people. It is not my intention to limit that, because if there is any suggestion of wrongdoing anywhere, obviously the commissioner should have the power to follow that up. Allegations will be referred to him. But I think my friend would agree with me that it has to be in, shall we say, a manageable bite somehow or other. We do not want this thing to go on for the next five or 10 years. I am sure that is not my honourable friend's suggestion.

Mr B. Rae: But we do want it to deal with issues. We want it to deal not simply with specific allegations of wrongdoing. Is the Premier saying he is not interested in finding out whether the concentration of land ownership and the accumulation of land in very few hands in areas of rapid growth is not a problem?

Is he saying that the influence that is exercised over municipal officials and elected municipal politicians is not a problem? Is he saying that the question of the relationship between this industry and governments, federal, provincial and municipal, is not a problem? I can tell the Premier that we disagree profoundly with a judicial inquiry that is framed to solve the Premier's political problems instead of solving and dealing with the public problems of the province of Ontario.

Hon Mr Peterson: The inquiry is designed to deal with all of the facts surrounding a number of allegations. They will all be there for the member to see.

Now my honourable friend wants to make that wider and deal with a number of policymaking aspects, whether it is land speculation tax—he is suggesting there are some improper relationships between the municipal politicians and/or developers, in what communities I do not know, and perhaps members of this House. He is making that suggestion.

Interjection.

Hon Mr Peterson: He is. Then there is the question of zoning and agricultural preservation and all the questions involved in providing housing for the people of this province.

I say to my honourable friend that there may be more creative ways we can use the mechanisms

of this House to develop policy, and maybe we need committees to do that kind of thing. We have no objection to looking at our policies and trying to improve them, but I think, at the same time, what we have to do is get at the root of a number of specific allegations that have been made, and that is what we are trying to do. We are not trying to avoid anything. We are trying to solve some specific problems, not just some amorphous or imagined problems that do not have any specific application.

Mr B. Rae: If the Premier is saying that the concentration of ownership of land, speculation in land, is an amorphous problem that exists in my head and my head alone, then he is living in a different universe from everybody else in Ontario. That is a sad fact. These are all sad facts. He can either wake up to these facts and the political influence that this power is buying or he can close his eyes to that and pretend it is not happening.

The Speaker: Question?

Mr B. Rae: When it comes in his back door, he can say, "Oh, my goodness, what a surprise," or he can do something about it with a proper royal commission. Will he appoint a royal commission that has real powers and is going to deal effectively with a broad public problem, or is he simply going to try to solve his own problems? That is the question.

Hon Mr Peterson: This royal commissioner will have real powers, but we are discussing, as my honourable friend said, the concentration of power, the concentration of land ownership, which he feels is a legitimate question for him to raise.

There are some who raise the question of the concentration of unions and their power. Others raise the question of the concentration of oil companies and their powers. Others would raise the question of the powers of certain other groups in our society. Those are all legitimate public policy questions that we should all debate and have ideas on at various given points in time.

If my honourable friend is saying we should have a royal commission on land ownership across the province—who should own it, who should not—that is a fair question and a fair public policy question to debate. But perhaps we should be solving that in terms of this House and not placing our policy development exclusively in the hands of some outsider who may not have any special knowledge.

I think if my friend has some specific ideas on corporate concentration of land ownership or oil companies, insurance companies or anything

else, he should bring them forward and develop policies to change that.

PATRICIA STARR

Mr Brandt: My question is to the Premier. Yesterday, in response to a question I raised about the direction the Premier took with respect to DelZotto family members and asking them to resign from various government-appointed positions, he responded by indicating that this action was taken because the sense was to save embarrassment.

I wonder if the Premier could explain how the resignation of Marlene DelZotto and Angelo DelZotto, neither of whom has been mentioned in this assembly in connection with any allegations I am aware of—except by the government, I might add—could somehow save the Premier and his government embarrassment. I wonder if he could elaborate on his statement of yesterday.

Hon Mr Peterson: The allegation was that Tridel was involved in activity that is being investigated at the present time. It is a family company and those people are attached to the family company. That is the only reason. There are no specific allegations against any specific people, but Tridel and some of its agents presumably will be part of the investigation. It was not born out of any prejudgement of the situation, but rather a desire to be prudent.

Mr Brandt: I can understand the apprehensions about the connections between Tridel and Patti Starr, but I would like to advise the Premier that my office did in fact check the major companies owned by the DelZotto family. Marlene DelZotto is not listed on any one of them as an officer or a director of any of those companies. Will the Premier confirm that Marlene DelZotto's only crime was being the spouse of Elvio DelZotto and that that is why he asked her to resign from TVOntario?

Hon Mr Peterson: I would not suggest for a moment that she has committed any crime and would not use that word in that context.

Mr Brandt: If she has not committed a crime, has admitted to no impropriety whatever and if she was serving as a result of the Premier's appointment to the board of TVOntario, I find it absolutely astonishing that this lady would be asked to resign prior to having any opportunity whatever to save her good name in this particular instance.

If at some future point some allegations come forward of which I am not aware, that is a different situation. But here we have the Premier taking action before the fact with a member of the

family, simply because the name is DelZotto. Does the Premier think that is fair and appropriate under the circumstances?

Hon Mr Peterson: I have to say that my honourable friend, dripping with sanctimony as he stands in this House, is a little bit outrageous to look at. I say that in all seriousness when he and his colleagues stand in this House daily and throw charges in a most, in my opinion, irresponsible way regularly. Now to change his views on these matters is to me quite incredible.

I have told the member my view of the situation. It was viewed to be prudent, and we are not prejudging anyone's guilt. We do not use the word "criminal," as the member does in this House. He is the one who has made a number of allegations, he and the members opposite. We are going to track them all down. The answer is that the member has prejudged almost everything here.

POLITICAL CONTRIBUTIONS

Mr Brandt: To the Premier, for my second question: Yesterday, in response to a question regarding hospitals giving money to political parties or being involved in fund-raisers, the Premier said, "My own opinion is that transfer agencies should not be involved in political donations."

Talking about changing one's position or changing one's response with respect to a particular issue, I wonder if the Premier can tell me when his conversion took place on the road to Damascus.

1410

Hon Mr Peterson: Interestingly enough, I had heard about this, I guess, in connection with the Ottawa school board. The Minister of Health will help me out and tell me when she sent a directive out to the hospitals.

Hon Mrs Caplan: I spoke about this at the end of the year.

Hon Mr Peterson: The minister spoke about this at the end of the year when she found out about this happening, and she sent out a directive that hospitals should not be contributing. That was some time ago. Even though it is permissible under the law as my honourable friend knows—I assume my honourable friend has those things in his own party or his own riding, and if he does not, he could check them, or if he does not want to do it himself, we could have someone else check it for him. I say to my honourable friend that it is permissible as far as I know, under the

law, but the Minister of Health had already issued a directive in that regard some time ago.

Hon Mrs Caplan: I spoke to them.

Hon Mr Peterson: Sorry; she spoke to the hospital association about this matter.

Mr Brandt: Let me help the Premier who has a selective memory when it comes to some of these things. On 15 June 1987, the Premier not only endorsed a fund-raising dinner for the then Minister of Health, but this particular fund-raiser was directed at the same transfer agencies that he now indicates should not be contributing to political parties, and the Premier in fact attended that fund-raiser on 15 June 1987. What has happened since 15 June 1987?

The Premier should check out the date to make sure these allegations are in fact correct, because I know they are. I want to know why it was so appropriate back on 15 June 1987 to attend that fund-raiser sponsored by the former Minister of Health, and now the Premier says it is inappropriate for this kind of activity to be carried out. I want the Premier to tell me what the difference is.

Hon Mr Peterson: I think my honourable friend is getting carried away with his own rhetoric in this situation. He asked about the law. The law is quite clear. The minister sent out a directive in that regard. I do not recall specifically requesting money from institutions and we all collectively have to look at the law with respect to the future. I do not see any particular conflict. Sure, I have attended fund-raisers, as has the member. We raised money and it is all public and there for everybody to see. All of the donations are listed and there are no secrets about the situation. Now, if we want to change the law, let's do it together.

Mr Brandt: Talking about taking a sanctimonious tone in this House, let me remind the Premier, and he can check Hansard with respect to these facts, that in 1985 we raised with him our concerns about the method of fund-raising his party was engaged in. We repeated those calls in 1986, 1987 and 1988.

In fact, in January of this year, his Minister of Energy (Mr Wong) was involved in a fund-raising activity with one of the major corporate players in that particular field who ultimately had to step down as chairman of the dinner because of at least a perceived conflict. I want to ask the Premier, what made it so right from 1985 through to 1989 that he is now taking the stance that this type of fund-raising activity is no longer appropriate? What has changed his mind?

Hon Mr Peterson: We have a law in this province that the member presumably has agreed to. He has raised money under it and he has been very comfortable about it. It is all there for everybody to see. It is all public. Presumably he raises money under that law as do we. If we do things that are wrong, obviously it has to be brought to our attention, just as when they do things wrong, I am sure he will check into it.

But there is nothing illegal, I can assure my honourable friend. It is all there in the open for everybody to see, for them and for us. Now, if the member has ideas on how to change the law, he should stand up and share them. Does he agree that, for example, we should change the law and not allow transfer agencies to contribute out of their budgets? That is an interesting question we should decide on together, but I do not remember him ever raising that question prior to a little while ago.

Interjections.

The Speaker: Order. New question, the Leader of the Opposition.

PUBLIC INQUIRY

Mr B. Rae: I want to go back to the Premier. He announced this inquiry on Friday amid a great fanfare, trying to be seen to be dealing specifically with a political crisis that is the most serious he has faced since becoming the Premier. He announced the judicial inquiry. He did not announce the terms of reference for that inquiry. He did not announce who would be chairing that inquiry. He did not tell us exactly what it was going to be about.

I am putting forward a proposal for the Premier that he deal with a royal commission whose terms of reference would be specific, yet sufficiently broad to deal with the policy issues that are before the people of the province.

I want to ask the Premier if he can tell us why it is that in announcing the inquiry on Friday, he did not tell us what the terms of reference were going to be, and he has yet to name a judge who in fact will chair the inquiry.

Hon Mr Peterson: I am just going by memory here, but it seems to me that last week the member was on television screaming for a judicial inquiry, saying some very uncomplicated things about the government and how we had to get to the bottom of this. Now he wants to turn over certain policy issues, as opposed to the allegations that he and others have made about the government.

What I want to do is get to the bottom of this. The member is right; the specific terms of

reference, at this point, have not been drawn up. I said what they were in general. Obviously, they have to be cleared with the person who will be conducting the judicial inquiry to give him or her a full range of options and a comfort level. The Attorney General (Mr Scott) is now discussing those matters and will report back to the House—he has to talk to the Chief Justice and others—with the specific terms of reference.

I have told the member—I said then and I have said in this House—the reference will be, in general terms, to explore those relationships that are under some allegations at the present time and to turn up all the facts pertaining to those.

Mr B. Rae: The Premier has made allegations with respect to things I said last week that are totally incorrect. I have consistently said that what the Premier should do is take steps to clean his own house. He may object to my saying that. That has been the thrust of what I have said, and that he should not be using a judicial inquiry to ignore his responsibilities as the first minister of this province. That is what I have been saying consistently since this mess first started.

I would like to ask the Premier, can he explain the incredible delay? He announced an inquiry on Friday that has no terms of reference and he has not been able to find a judge who will take this on. Can he tell us why it has taken him this long to establish the terms of reference of an inquiry, when he himself knows that all that is involved here was an attempt on his part to solve a political problem on Friday instead of dealing with it himself. That is what is involved here.

Hon Mr Peterson: He cannot both want the inquiry and not want it. I just say to my honourable friend that there is no incredible delay, to the best of my knowledge. The leader of Her Majesty's third party had some views with respect to the terms of reference. To the best of my knowledge, the Attorney General is meeting with him tomorrow to discuss those terms of reference, out of respect for him.

If the member has any views on the terms of reference, the Attorney General would be very happy to meet with him as well. It is out of courtesy for the leader of the third party that the Attorney General has held off the final determination. You do not get credit for politeness any more in this world.

PATRICIA STARR

Mr Pope: My question is for the Premier. For the last several weeks now, there have been allegations—I call them allegations—with respect to various ministries, Patti Starr, Tridel, the

DelZotto family, questionable if not illegal political donations, political donations involving members of the government and transfer agents.

Not only are ministers of his government and other members of his Premier's party and this Legislature involved, but also we now see that it is reaching to his closest political confidants, one of whom resigned last week. I think we are entitled to know, and I think the people of Ontario are entitled to know, at all relevant times, what was the Premier's involvement and how much did he know about what was going on in his office?

1420

Hon Mr Peterson: The honourable member has been away, I guess, for the last couple of weeks and has perhaps been reading the newspaper. It was a very acute summary of the situation and I want to congratulate him for that.

Obviously, a number of allegations have been made. We want to have a full judicial inquiry into all these allegations and it will all be there for him to see and to attend upon, if he so desires. If he has anything to contribute, obviously his testimony would be welcome, if he or any of his colleagues have any views on this matter or any special knowledge, just as we will all be prepared to contribute any knowledge we have.

We are prepared to put all these matters in the hands of an independent judge, because we think that is the appropriate way to go in the circumstances and I think my honourable friend should support that kind of view, being a notable member of the bar, as he is.

Mr Pope: The Premier has not answered the question, and deliberately so. We are entitled and the people of this province are entitled to know what he knew and what his involvement was in all these matters that were emanating from his office, from his confidence and involving his ministers.

How much did he know? Either he knew and he is hiding behind this inquiry and is not going to tell this Legislature or the people of Ontario, or he did not know and he cannot manage his government. Which is it?

Hon Mr Peterson: If my honourable friend, who has an aptitude for generalities in this matter, has any specific questions on any subject, I would be delighted to answer them. I am here in this House. If he has any suggestions or questions on things I knew or did not know or any of the ministers did—let me tell him something I know now because I just got a note. It says: "The PC Ontario fund regularly mailed to the CAOs and heads of council of all municipalities soliciting

funds. I have seen and received letters personally at the town hall during my municipal days."

That comes from one of our cabinet ministers who is familiar with being on the receiving end of his letters. I just say to my honourable friend that as this knowledge unfolds, we are happy to share it with him, that or anything else.

POLICIES ON ALCOHOLIC BEVERAGES

Mr Dietsch: My question is for the Minister of Consumer and Commercial Relations. In the modern age of plastic purchasing, could the minister please explain to me why a customer may not purchase wine from a cottage winery store, but can go down the street to a hotel or restaurant and make a major purchase with a credit card in one of these establishments?

Hon Mr Wrye: This issue has been visited by the government on a number of occasions. I suspect my predecessors looked at it before me, perhaps as far back as when the third party was in government.

I think it has generally been the policy of government over a period of time that the purchase of alcoholic beverages ought to be paid for in cash rather than with credit cards where the purchase is for home consumption. That is a view we think is consistent with the message of social responsibility this government has been putting out for a period of time. It is an issue we looked at again in the recent changes to liquor policy that I announced within the last two or three weeks and we reconfirmed that policy.

Mr Dietsch: With the additional pressures of world markets and free trade and General Agreement on Tariffs and Trade decisions on wineries and the need to be innovative in the Ontario marketplace, will the minister please consider modifications to this policy?

Hon Mr Wrye: I know that the issue is one the wineries have raised with the honourable member and with me and that they feel strongly about it. I can say to the honourable member that we have looked very carefully at the issue, as recently as during our consideration of reform to beverage alcohol policy.

It remains the view of the government that the tying of credit cards to the sale of alcoholic beverages for home consumption is not appropriate to the other theme of social responsibility, so I cannot give the honourable member, and through him the wineries in his riding, a commitment that we are going to be revisiting that in the next short while. We want to get on with having beverage alcohol sales in a modern society as well, but

there are some other competing issues that we are addressing and this is one of them.

OTTAWA CENTRE NURSING HOME

Mr Reville: I have a question for the Minister of Health. She will know, and I am sure she shares the concern, about the fire that occurred at the Ottawa Centre Nursing Home on 18 June. Regrettably, there were three injuries and one fatality, that of an aged person who was both blind and mute.

It seems to me this was an accident waiting to happen. I checked into the inspection reports of this particular nursing home since 1983 and was able to count no less than 111 violations, many of them having to do with fire safety. I want to ask the minister how that could possibly happen.

Hon Mrs Caplan: As the member knows, whenever there is a fire, the fire marshal's office investigates. The nursing homes branch regularly inspects facilities. As I understand, in this case careless smoking is suspected as the cause of the accident.

Mr Reville: The minister may or may not know that on 10 November a public institutions inspection panel went in there. Those are not her troops. They found the conditions, including fire safety, in this nursing home to be deplorable. They went back on 15 May to follow up to see what had happened in the intervening six months and they were refused admission. Five weeks later, we have a fatality. What is the minister going to do about that?

Hon Mrs Caplan: I think it is very important for the member to have his facts straight and to know that whenever a complaint is launched, the ministry inspections branch does go in. However, even without complaint, the ministry regularly reviews nursing homes.

I can tell him that this particular home was, to the best of my knowledge, last inspected last March. There was only one minor recommendation. I know this regrettable fire has been under investigation, and in fact it is my understanding careless smoking is the suspected cause.

PATRICIA STARR

Mr Harris: I have a question for the Premier concerning the article in the *Globe and Mail* today involving his Minister of Skills Development, then Minister of Housing, the member for Scarborough North (Mr Curling). We heard from the current Minister of Housing (Ms Hošek) who says she has looked into it and is satisfied the minister did nothing untoward and acted in the best interests.

I am interested in the Premier's judgement and his standards, which I believe are the issue, since this minister is appointed by and works for him. Given the allegations and the revelations in the *Globe's* story today, I would ask him if he is satisfied that everything that was done in this project was appropriate and if he can possibly explain or think of any logical reason Patti Starr was involved at all in this whole affair.

Hon Mr Peterson: I do not know the answer to that last question, but I rely on the advice from the ministry. We have scoured the files to see if there has been anything strange done, anything that was not routine or anything that was not under the regulations, and we are not aware of that.

I cannot stand in this House and absolutely assert that every single transaction of the government was absolutely perfect, according to the blue book or management rules. We try to have it that way. We try to run a government without fear or favour for anyone so that all are treated in a routine way, yet with dispatch. The minister has explained the details and I am satisfied to the best of my knowledge that there is nothing particularly out of order.

Mr Harris: I know the Premier would be aware of the sensitivity and the concerns that are out there about integrity in government and how we operate.

With the revelations today, given the fact of Patti Starr's fund-raising efforts on behalf of the minister and given the fact that Gerald Starr, husband of Patti Starr, is a partner in at least one company with Harry Solomon, New-Port Sportswear Ltd, does it not concern the Premier at all that she was involved in apparently nothing that she had anything to do with, on behalf of the minister, and given the fact that as a result of that involvement the minister had changed the priority, the recommendations of the ministry and approved a project that a partner of Patti Starr's husband was involved in and other companies that we know of, for a fact...

1430

Hon Mr Peterson: I appreciate my honourable friend's interpretation of the facts. That is not the interpretation of others, but let me just say that to me that is what the judicial inquiry is all about. He has a particular allegation in this regard. I think that an independent judge would look at that and make a judgement with respect to this transaction, and others, where the member thinks there is a problem or special influence exercised.

I think that my honourable friend would agree with me that is a fair and open and forthright way to handle the situation; exactly the way we are doing it.

ASSISTANCE TO FARMERS

Mr Tatham: I have a question to the Minister of Agriculture and Food. I have had several letters and phone calls from Oxford county farmers regarding drought assistance. The minister is quite aware of the promise of \$850 million in drought assistance to Canadian farmers from the federal government. In view of recent press reports that the federal government is still seeking cost-sharing with the provinces, can the minister indicate whether there has been any recent discussion with the federal government on this issue and whether there will be any delays in payments to farmers?

Hon Mr Riddell: The honourable member is quite correct. The federal drought assistance program was a federal election promise to garner the farm vote. There was absolutely no consultation on this program or its costs with the provinces. I have stated, and I will continue to state that we will not in any way cost-share this program. That is the message that I gave Mr Mayer, Minister of State (Grains and Oilseeds), when I met with him on 6 June. When he came to see me we discussed two matters, the crop insurance program and the federal drought assistance program.

He offered several options for cost-sharing both programs and I indicated to him at that time that I was not interested in cost-sharing the federal drought assistance program in any way, shape or form. The funds have now been made available by the the federal government. There were no conditions attached when they made the promise in 1988 and therefore, I would hope that they will get on with the job and get those cheques out to the farmers without further delay.

Mr Tatham: Can the minister explain how these proposals from the federal government will affect our crop insurance program, particularly when both levels of government have reinforced their commitment to it and in light of the recent federal discussion paper on crop insurance?

Hon Mr Riddell: As I indicated, in his discussion, Mr Mayer would like the provinces to cost-share the national crop insurance program. At the present time the federal government pays 50 per cent of the premiums, the farmer pays 50 per cent and the provinces pay the administration cost.

What the federal government would like to do is to reduce its cost by 25 per cent, have the provinces pick up that cost with absolutely no benefits to the farmers whatsoever. I totally rejected that idea and said that I was not prepared to do anything with the crop insurance program by way of cost sharing premiums, unless I could see that there were benefits to the farmers by so doing.

PATRICIA STARR

Mr B. Rae: I am going to try again on the question of Ronto. I wonder if I could ask the Premier if he can tell us whether he has discussed personally with the Minister of Skills Development (Mr Curling) the reasons why the minister personally turned the project down in 1987.

Hon Mr Peterson: No.

Mr B. Rae: I think that we are entitled to know why he would not. Is he using this inquiry to avoid his responsibilities in terms of his responsibility for the ministry? There is another question I could ask the Premier. Has he discussed with the Minister of Skills Development how it is that Mrs Starr would have phoned the group that was trying to build these 250 units for battered women and for people in need, as if she was representing the Minister of Housing.

Can the Premier tell us, has he discussed with the former Minister of Housing how it would be that Mrs Starr would be putting herself forward as somebody who had some news to bear with respect to this project?

Hon Mr Peterson: Frankly, I say to my friend, there is a lot of behaviour that Mrs Starr has engaged in that I cannot explain, but if the member has any ideas on what should be investigated in that regard, the commissioner will look at them and will come up with an objective view on that whole matter. That is the object of the royal commission.

MARCO MUZZO

Mr Runciman: My question is for the Premier as well, with respect to his dealings with Marco Muzzo. Will the Premier tell us how many times he has met with Mr Muzzo since he became Premier? Can he tell us what was discussed at those meetings?

Hon Mr Peterson: I have seen him on two, three or four occasions in my life, probably. On two occasions, he came with respect to environmental ideas, as members know, we have looked at at those meetings. I do not recall ever having a, shall we say, private conversation in that regard. There was discussion about the garbage situa-

tion, as I discussed it with other groups. There may have been other social occasions when this happened, but I cannot tell my friend specifically.

Mr Runciman: Will the Premier tell us whether he has ever asked anyone in the Ontario government to do anything on behalf of Mr Muzzo or one of his companies? If so, what was it that he asked them to do?

Hon Mr Peterson: My honourable friend is on a big fishing expedition here. To the best of my knowledge, no. If the member ever asked me if I have done a special favour for him, the answer is no, nor for anybody else that I am aware of. I say to my honourable friend that, obviously, there are requests on government all of the time. There are requests on people like the member to do things and intervene for people and situations, but I can tell the member that I am not aware of my requesting anything personally for any company that Mr Muzzo is involved in. Number two, I am not aware of anything special that was given in that case that would not be treated in the normal course of events.

DUNNVILLE DAM

Mr Miller: I have a question for the Minister of Natural Resources. The Grand River Conservation Authority, with about \$2 million in financial assistance from the Province of Ontario, is embarking on a project to build a lift lock on the Grand River at the town of Dunnville and to restore the Dunnville dam. These projects are very, very welcome ones to recreational boaters. I would ask the minister to bring the House up to date on the status of these projects and of the planned fishway.

Hon Mr Kerrio: I am very pleased to share with the member for Norfolk the initiative at Dunnville. It is one that is very exciting for many people in that area and in a very broad sense across the province. We are working with the conservation authority there to put some \$2 million into the rebuilding of the dam and into putting a lock into the dam, so that we can bring boats up from the Lake Erie level to be able to traverse much more of the Grand River. We have the Grand River authority doing work to clean up the stream and do rehabilitation.

It is a very, very good project that we are undertaking. We are going to build a fish ladder in the complex to be able to move the fish up the Grand River. It is an area that needs this kind of rebuilding. I am very pleased that we, as a government, are taking this initiative and it is

going to augur well for the people of the area and for many people across Ontario.

Mr Miller: As the minister probably realizes, once that dam is in place, it will give access to Cayuga. There is still the remainder from Cayuga to Caledonia, so that it would be accessible to Brantford. How would the minister view other requests to increase accessibility on the Grand River for boating?

Hon Mr Kerrio: We are not only taking this initiative to be able to increase the ability to go up as far as Cayuga, but as the minister I am looking at areas for fish rehabilitation, in that lower river and up above the dam, after the fish ladder is put in. It was always a very major spawning ground for the eastern end of Lake Erie.

I think that when we take this initiative, we are going to see people putting more pressure on us to go up farther and we will work our way right up the Grand River. I think it is an initiative we can all be proud of and I am very pleased to be a part of it. I am sure I am going to get pressure from the member for Norfolk and those people in that area to continue on and I should then take the message to the Treasurer (Mr R. F. Nixon), and I hope we get his approval so that we go forward in the future. But our work is going to start in the spring of 1990 and I am very enthusiastic about it as is the member for Norfolk, my very good friend.

1440

NORTHERN HEALTH SERVICES

Mr Hampton: My question is for the Minister of Health. In Sudbury, on 18 November 1988, the Minister of Health announced that the ministry would establish a northern health manpower committee to help the ministry attract and retain health professionals in the north. I can quote the minister. She said: "I feel this new approach will provide faster results to provide top quality health care to every geographical area in northern Ontario and to all the people who live there." That announcement created quite a lot of hope in northern Ontario. I want to ask the minister: Has the committee met yet? Has it even been constituted yet?

Hon Mrs Caplan: I want to thank the member for the question because in fact our commitment to northern Ontario is clear. The establishment of the northern health manpower committee is a significant one. We made the commitment to consult widely from numerous northern organizations and communities. We have received those and I can say to him that I was delighted with the response and recommendations of

individuals who have agreed to serve. In fact I have just very recently signed the letters and I am hoping to have the committee up and functioning now that we have received these recommendations and approved the formation of the committee.

Mr Hampton: Just to help the Minister of Health, I did not hear her say that it is constituted. When we called over to her office earlier this week we were told it is not constituted. The latest report from the underserved area program is out. There are now 34 communities across northern Ontario that either do not have doctors or have too few. In Thunder Bay we have got one child psychiatrist for a population of 250,000 people. We have shortages of nurses, speech therapists and occupational therapists. She announced this committee eight months ago. It is not constituted yet and it has not met yet. How does the minister justify that?

Hon Mrs Caplan: I believe that in order for a committee to function well and in fact to be truly representative of the north, there should be wide consultation from the communities of the north to make recommendations. We have asked the district health councils, we have asked the associations to make representations, we have asked members in this House. I am hoping, when I am up north in a couple of weeks, to be able to announce the names of the members of the committee. We have been communicating with them to see if they will agree to serve. I am delighted with the response and I can assure the member that this will be a significant initiative as we plan for health manpower needs of northern Ontario.

PATRICIA STARR

Mr Harris: I see the Premier (Mr Peterson) has left. I will ask a question of the Minister of Housing, who for some reason or other has been called upon to do the Premier's investigation into this matter of the former Minister of Housing, the member for Scarborough North (Mr Curling). I wonder if the minister could tell us if she has had discussions with the former Housing minister to ascertain why Ms Starr was involved at all on behalf of the ministry in this project, or on behalf of the ministry with the project that was turned down?

Hon Ms Hošek: I have asked my staff to give me the information that we have and I have given it to this House. I assume that the member is asking a question about the Homeward Family Shelter project.

Mr Harris: I am asking you if you have talked to Mr Curling.

Hon Ms Hošek: I have discussed various things with the previous Minister of Housing. It is my responsibility as Minister of Housing to answer any questions the member may have about decisions that were made at the Ministry of Housing, and I am doing that to the best of my ability. I cannot vouch for what Ms Starr did or did not do. I can tell him what my ministry tells me was done in the time that we are talking about and I have answered the question to the best of my ability.

Mr Harris: The Premier has indicated today that he has no intention of investigating. I find that absolutely astounding. He also indicated that he did not talk to the former minister, nor does he plan to talk to the former Minister of Housing, which I find astounding as well. Perhaps it explains why the terms of reference are not done. We are going to have to wait, day after day, to see just how large this is going to be and if we are going to have a judge do the Premier's job to investigate his own people.

The Premier did say he asked the minister to look into it. He did say he asked her to ascertain, I assume, whether there was anything wrong. I would ask her again, in determining that, did she talk to the former Minister of Housing about this project specifically and Mrs Starr's involvement, and why, from his knowledge, was Mrs Starr involved at all?

Hon Ms Hošek: I will, of course, make any inquiries the member wishes that are raised in his question, but my role as Minister of Housing is to investigate what was done at the Ministry of Housing. I have done that. I have asked members of my staff to tell me what they know. This is what I am told, and I am reporting it to the House. It seems to me that is my responsibility, and I am trying to fulfil it to the best of my ability.

HORSE RACING

Mr Campbell: My question is for the Minister of Consumer and Commercial Relations. It concerns an industry that is a very important one in this province, and that is the whole horse racing fraternity, all the people who are involved in this industry. The minister is aware of the need expressed by this industry for amendments to regulations governing the operation of racetracks in this province. Can the minister inform the House when these changes might be made?

Hon Mr Wrye: I am going from memory, but Bill C-7, which is the federal enabling legislation, has passed the House of Commons, which

has now risen. I will have to check, but at last report, the Senate was still considering the details of Bill C-7. I believe second reading had passed and the matter was in the Senate in committee. It may well have passed before the Commons adjourned for the summer.

The regulations are still in draft form, and only after we have these matters finalized am I going to formulate recommendations at my level to take to my cabinet colleagues as to whether Ontario ought to opt into the teletheatre proposal. As the honourable member knows, it is a federal enabling piece of legislation which individual provinces can opt into as they desire. We are going to want to take a look at the final proposal before we decide whether it is appropriate to opt in.

Mr Campbell: I appreciate the answer, because the only racetrack in northern Ontario is in my community. I am very much concerned that the viability of this operation be maintained as much as possible, of course, because it is a very important recreation and job creator in our community. I am wondering if the minister could let this House know how these regulations could allow the activity at Sudbury Downs to be a viable operation.

Hon Mr Wrye: The proposal from the federal government, the Department of Agriculture, has been such that only racetracks would be able to get involved in teletheatre betting. Certainly the owners of Sudbury Downs Raceway, the MacIsaac family, have had a fairly difficult time of it over the years. To be fair to them, they have not turned a profit in any year since the track opened in, I believe, 1974.

In the discussions which they have had with my ministry and with me, they view teletheatre betting as being an opportunity for them, providing that they are able to obtain the licensing for the north, to supplement the returns they are able to get at the track with some additional returns within these so-called teletheatre centres or entertainment centres, as I would call them.

The government and the Ontario Racing Commission are very sensitive to the concerns of Sudbury Downs. That is one of the reasons I will be taking recommendations to cabinet as soon as the matters are finalized federally.

1450

HOSPITAL FINANCING

Mr Wildman: I have a question to the Minister of Health regarding a meeting that is taking place this afternoon between representa-

tives of the board of directors of St Joseph's General Hospital in Blind River and members of her staff.

In view of the fact that the Minister of Northern Development and Mines (Mr Fontaine) in 1985, and subsequently the previous Minister of Health, made a commitment to the people of Blind River that there would be funding for a new hospital and an extended care facility, and that matter was reconfirmed during the 1987 election campaign, the community has now raised a substantial amount of money and the board of directors has reached the point where it has finalized the drawings and is ready to go to tender, can the minister resolve the confusion over what is happening with this hospital and indicate when final approval will be forthcoming for tenders to be called?

Hon Mrs Caplan: The member raises a question which we discussed in this House regarding a number of projects which are in various stages of planning right across this province.

I will say to him today, as I have said previously to members from other parts of the province, that when we are satisfied that in fact the planning which has taken place will result in meeting the needs of the people of the community, of the region and of the province, we will then announce our intention to move forward. My commitment to good planning and my commitment to meeting the real and changing needs of our communities is clear and I think he knows that from my previous visits to other parts of his riding.

Mr Wildman: I am aware of the minister's commitment to planning. Could she tell the House and make clear at what stage in the planning this project is and what stages it has to go through before final approval will be made? If she is going to visit our area in July, hopefully she will be able to make the announcement then.

Hon Mrs Caplan: I would say to the member, and in fact to all members of this House, that we have one opportunity—only one opportunity—to make sure before we build that we are meeting the needs of our communities, not only for today but into the future, and that opportunity is before we put the shovel in the ground. I see him nodding and I know that he agrees.

We are planning and building not only for today, we are planning for the next 10, 20, 25 years ahead, so we must have not only a vision but a good plan. We are focusing on services that will meet the needs. We know that many things have changed in technology and we want to be as

flexible as we can be to make sure that we meet the real and changing needs of our communities.

I would say to the member that I have attended meetings with him in communities where we have talked about innovation and different approaches and that we have to take that opportunity, before we put the shovel in the ground, to talk to communities about alternatives to how we can meet those needs.

I know of his interest in this matter and I look forward to visiting parts of his riding this summer.

VISITOR

The Speaker: That completes the allotted time for oral questions and responses. Just before there is too much commotion, I would like to inform the members that we have a visitor in the lower west gallery, a former member, Phil Gillies.

PETITIONS

NATUROPATHY

Mr Keyes: I have a petition signed by 139 citizens of Kingston and The Islands, addressed to the Honourable the Lieutenant Governor and the Legislative Assembly, and it reads, in part:

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

For the purpose of presentation, I have affixed my signature to the petition.

SERVICES EN FRANÇAIS

M. Campbell: Je désire présenter à la Chambre une pétition concernant la Loi 8, qui m'a été remise par quelques citoyens. Je n'accepte pas la position extrême de cette pétition mais, tel que le demande le Règlement de la Chambre, j'y appose ma signature. Merci.

NATUROPATHY

Mr Beer: I have a petition signed by 110 citizens, which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas it is my constitutional right to have available and to choose the health care system of my preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

TEACHERS' SUPERANNUATION

Miss Roberts: I have a petition and it is to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario.

"Whereas the government of Ontario in its discussions with the Ontario Teachers' Federation on amendments to the Teachers' Superannuation Act has refused to allow an equal partnership between teachers and government in management of the pension fund, establishment of an acceptable contribution increase, benefit adjustments, equitable treatment of future surpluses and a satisfactory dispute resolution process,

"We, the undersigned, petition the Legislative Assembly to insist that the Treasurer of Ontario negotiate with the Ontario Teachers' Federation towards an equitable settlement."

It is signed by 64 teachers in my riding and I have affixed my name thereto, as set out by the rules.

WASTE DISPOSAL

Mrs Stoner: I have two petitions signed by a total of 63 residents of the Ajax-Pickering area. I would like to read them both.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"We request that Premier David Peterson and Minister of the Environment Jim Bradley guarantee that any proposal for a solid waste landfill in the region of Durham be subject to a full environmental assessment under the provisions of the Environmental Assessment Act; and further

"That the Minister of the Environment not utilize the less restrictive provisions of the Environmental Protection Act to convene a hearing before the Environmental Assessment Board with regard to said proposal and thereby bypass the provisions of the Environmental Assessment Act and a full environmental assessment."

The other petition reads:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"To request that the Premier and government of Ontario withdraw immediately the P1 site located on provincially owned land in the town of Pickering as a proposed new mega dump site for Metropolitan Toronto; and

"To urge that Metro Toronto never again be permitted to locate garbage dumps anywhere in Durham region; and further

"To urge that whenever a site or sites are chosen either as contingency or long-term dump sites anywhere in the region of Durham or in the province of Ontario, the people always be granted their full and complete environmental rights and safeguards according to the Environmental Assessment Act processes."

TEACHERS' SUPERANNUATION

Mr Fleet: I have a petition addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario. It is identical to the petition that was read by the member for Elgin regarding the interests of teachers and members of the Ontario Teachers' Federation. It is signed by 13 individuals, all of whom I believe are teachers resident in Ontario and who are involved at a school in North York. I have signed it in accordance with the provisions of the standing orders.

ONTARIO COLLEGE OF PHARMACISTS

Mrs LeBourdais: I have a petition to the Honourable Lieutenant Governor and the Legislative Assembly of Ontario with regard to the establishment of a commission to look into the operation of the Ontario College of Pharmacists. I have affixed my signature thereto.

WORKERS' COMPENSATION

Miss Martel: I have a petition addressed to the Honourable Lieutenant Governor and the Legislative Assembly of Ontario. It reads as follows:

"We, the undersigned, petition the government of Ontario to reform the workers' compensation system in Ontario so that people injured at work get decent pensions, rehabilitation and jobs when they are able."

I have a total of 1,671 signatures on this petition. I agree with these people entirely, and this adds to the 1,400 names that I submitted early in March.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr Sola from the standing committee on regulations and private bills presented the committee's report and moved its adoption.

Your committee begs to report the following bills without amendment:

Bill Pr3, An Act respecting Sarnia General Hospital;

Bill Pr7, An Act respecting the Royal Botanical Gardens;

Bill Pr18, An Act respecting Fort Erie Community Young Men's Christian Association;

Bill Pr23, An Act to revive Bruce Office Supply Limited;

Bill Pr24, An Act respecting the City of Kingston and the townships of Kingston, Pittsburgh and Ernestown;

Bill Pr 25, An Act respecting the Association of Municipal Tax Collectors of Ontario;

Bill Pr 26, An Act to revive Angelato Service Centre Ltd;

Bill Pr 27, An Act to revive Innomed Inc.

Your committee further recommends that the fees and the actual cost of printing at all stages and in the annual statutes be remitted on Bill Pr 18, An Act respecting Fort Erie Community Young Men's Christian Association.

Motion agreed to.

1500

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Mr Neumann from the standing committee on social development presented the following report and moved its adoption.

Your committee begs to report the following bill as amended:

Bill 211, An Act to revise the Rental Housing Protection Act, 1986.

Motion agreed to.

Bill ordered for third reading.

MOTION

WITHDRAWAL OF BILL 13

Hon Mr Conway moved, on behalf of Mrs Grier, that the order of the House referring Bill 13, An Act respecting Environmental Rights in Ontario, to the standing committee on resources development be discharged and the bill withdrawn.

Motion agreed to.

ORDERS OF THE DAY

Hon Mr Conway: I am calling that order standing in the name of the leader of the third party wanting confidence in the government.

In calling the order, I might say, I do not want to take too much time, but I should just indicate that there is agreement among the House leaders and whips that there is a time-sharing agreement that will see the windups begin at around 4:50 this afternoon, with roughly 20 minutes allowed for each of the windup speakers and that the remaining time between now, three o'clock, and 4:50 be shared equally among the parties.

Mr Harris: In the absence of Mr Brandt, I would ask for consent to move the motion under standing order 70(a).

The Speaker: Is there unanimous consent?

Agreed to.

STANDARDS OF CONDUCT

LIGNES DE CONDUITE

Mr Harris moved, on behalf of Mr Brandt, motion 1 under standing order 70(a):

That the government lacks the confidence of the House because of the failure of the Premier to establish and enforce ethical standards of conduct for members of his government, including ministers of the crown and senior appointed officials, because of the questionable relationship among members of the government, the Liberal Party of Ontario, political appointees and financial supporters, because of the allegations of favouritism in the awarding of contracts to friends of government, and because of the Premier's failure to assume full responsibility for the actions of those whom he has appointed.

The Speaker: I would remind all members that according to the standing order, a vote will be taken at ten minutes to six, with a five-minute bell.

Mr Harris: I will not speak very long on this particular motion, since there are a number of people who, in the limited time available to us, want to speak in favour of the motion.

I rise, as well, not out of a sense of being pleased to have the opportunity to speak to the motion. I am not pleased to be speaking to this motion. I am not pleased that my party and my leader felt it necessary to move a motion of nonconfidence on such a serious matter as this. Having said that, I certainly understand and support the motion, and I support the necessity for us to move such a motion at this particular time.

Today, we were dealing with a matter that was raised in the Globe and Mail; a matter involving a former minister, Patti Starr, a housing project, funds that were raised, a project that was awarded to a business partner in another venture

of Mrs Starr's husband. When we asked the Premier (Mr Peterson) if he had even talked to the minister who was involved in this, he indicated, no, he had not.

I think we have reached a very sad stage of perhaps sensitization to scandal after scandal, impropriety after impropriety, day after day coming forward so that it is now accepted almost as routine. We say, "Well, it's another one, yes."

I think that is sad. I think that is sad for all politicians. I think that is sad for those who are involved, who work on behalf of various individuals, regardless of party. I think it is very unfortunate for those who support political parties and very unfortunate, indeed, for civil servants who have been drawn into a number of these allegations.

I believe it is the Premier himself who must accept the responsibility. Those members who have read Mr Valpy's article today in the *Globe and Mail* will know it refers to these issues of fund-raising and courting favour. While at times I suppose some would argue it is a fine line whether businesses that have dealings with the government ought to be contributing funds to various parties or various ministers, indeed, funds are raised and businesses and individuals do contribute a substantial amount of money to the process to make the process work.

Since 1985, we have raised concerns where we felt the line had been stepped over. We raised issues like Ministers of Health specifically sending fund-raising requests to those involved in the Health ministry, to those involved either in working for or having contracts with specifically the Health ministry. The implication there is just too strong.

When the Minister of Tourism and Recreation (Mr O'Neil) mails fund-raising letters to tourism operators who have dealings with the ministry, apparently from lists that would be had by only the ministry office, we feel that goes too far. We have raised this time and time again, year after year, and it has not been a matter that this Premier has treated seriously.

We have seen examples more recently of what we feel are flagrant improprieties, technically perhaps not illegal, not issues that involve conflict of interest directly per se or that are covered by any legislation or any act, just commonsense wrong. That is where the Premier has a responsibility to set those standards, to enforce those standards, to make sure that indeed those are the standards of conduct for those he has control over: ministers of the crown, parliamentary assistants, the political appoint-

ments that he makes and the political appointments from within the party.

1510

We have raised this on a number of occasions over a period of years and the Premier has shirked that responsibility. He has refused to investigate, or if he has investigated, he has condoned activities that we think have gone too far.

I believe the Premier has made Ontario a laughingstock throughout Canada and I do not think there is anything to laugh about. I believe these are black days for parliamentary democracy. I believe this scandal gives a whole new meaning to Ontario's tourism slogan, "Ontario—Incredible!" This is not something that any of us ought to feel very good about, regardless of party and regardless of where we come from in this political process.

I want to indicate to the House that I do not feel very good about it. What can be done about it? The Premier must accept the responsibility, and not through legislation. One cannot legislate common sense, morality and decency. Those are qualities that the Premier must set for himself right from the beginning and that the Premier must set for those he has control over in his party and his cabinet and with whom he is involved.

I can understand ministers, parliamentary assistants, the Minister of Culture and Communications (Ms Oddie Munro) and even Mrs Starr and their not knowing where the line ought to be drawn, because there was no line drawn for them. The examples they had to follow were condoned or overlooked by the Premier himself, and that comes to the heart of this particular issue.

I suggest that my party, after the period of years that this has evolved and been allowed to go on, does not have confidence in this Premier or in this government to solve this problem. Given the track record, we do not have the confidence that this Premier even today, with all of the events around us, understands or appreciates the seriousness and knows that it is his responsibility as the head of this party, of this government and as Premier of the province. It is not to be sloughed off to a judge, to the Commission on Election Finances or to the Ontario Provincial Police.

It appears that probably criminal charges will be laid as a result of the investigations, that there have been violations of the Election Finances Act and that should be looked into. What we are concerned about in this chamber, though, are those matters for which the Premier himself is responsible.

Just today there was the revelation of facts brought forward in the Globe and Mail on the Minister of Skills Development (Mr Curling), formerly the Minister of Housing, and the Premier said, "No, I haven't asked him." I just find it astounding that with all of these events, today he is still acting no differently from the way he did four, three or two years ago or two months ago, one month ago or even last week.

I support the motion. I suggest to all those members who will be asked to vote on this motion that I do not believe I have seen anything by way of example that ought to give any member of this Legislature, regardless of party affiliation, any confidence that this Premier understands that it is he who is responsible and that it is he who must take responsibility for what has happened over this past period of time.

Hon Mr Sweeney: I am pleased to participate in this discussion, pleased in a different way than my honourable colleague who just spoke. My colleague will certainly not be surprised if I say that I do not concur with his conclusions and that I certainly do not support this motion.

I have not made it a practice of participating in many debates of this kind in the past four years, but I particularly wanted to participate in this one because I believe that it speaks to the rationale of why many of us on all sides of this House and in all parties are here in this Legislature.

I think it speaks to the fact that we see each other as honourable members. Quite frankly, I do not think any of us would stay here for the number of years that many of us have—for me, it has been 14 years; 14 good years, I want to say—and I do not think I would have stayed for 14 years if it had been my perception that I was surrounded by dishonourable colleagues. But that has not been my perception; it has not been my experience.

I can say, with all openness and with the deepest belief, that I have never in those 14 years been associated with any single member in this House from any political party who personally benefited from his position here. I have never had that experience.

As a matter of fact, my experience has been just the opposite. Far and away the majority of men and women in this House have been those who have made personal and financial sacrifices to be here. That has been my consistent experience: of men and women who have left other occupations or other positions where they have earned more money; where in many cases they had more status and more prestige; where they had more opportunities for career growth.

God knows, I sat on the other side of this House for 10 years and I know what that means.

Mr Hampton: You will again.

Hon Mr Sweeney: That is possible.

Therefore, it has not been my experience that the tone and the tenor of this motion has been what has taken place in this House.

I just indicated a couple of minutes ago that I spent 10 years in opposition. I understand and support and respect the role of opposition members. I would like to think—only others may judge this—that I played an active role in that position for 10 years, and I never believed for a minute that it was a lesser role.

It was different from government members, but it was not a lesser role. It was part of the democratic process, and I truly believe that process is as strong as it is in this jurisdiction and in other jurisdictions in this country because of active, forceful and aggressive opposition members. I have no problem with that. I understand it and I support it. It was my own type of behaviour for 10 years.

But I want to tell the members that I am troubled by this particular motion. I am troubled by the four main points of this motion. First of all, I am troubled because it speaks, for the first time in my experience with respect to a confidence motion, about the personalities of this House; not by policy, not by program.

It is usually the practice here, and it is an understandable practice and a supportable practice, that opposition members can disagree and disagree honestly with the government with respect to policy or with respect to program. Having a want of a confidence motion on those kinds of bases is quite legitimate.

1520

This one is different, however, because it speaks to the personalities in this House, and I want to suggest that in all of our experiences, when we start dealing with personalities, the atmosphere and the environment of this House takes on a different tone and a different tenor altogether. We tend to begin to reduce our respect for one another. We tend to reduce the efficiency and the effectiveness of this House, because I have discovered over 14 years that the one essential element that must exist if we are to serve the people of this province is that there is a level of respect for one another.

Disagreement, yes. Active and aggressive disagreement, yes. Because we represent 130 different ridings across this province, from north to south to east to west, from urban ridings to rural ridings to isolated northern ridings, with

different kinds of aspirations from the people who live there. We represent many income groups; we represent many ethnic groups; we represent political groups; we represent religious groups, and they all have their points of view.

The purpose of this Legislature, the purpose of this House, is to give all those people, through us, their representatives, a voice: a voice to agree with policy and program or a voice to disagree with it and to suggest alternatives. That is what this place is for, and when we are dealing with policies and programs, we can do that. When we are dealing with personalities, that gets lost.

This motion speaks about the failure of the Premier to establish and enforce ethical standards. I totally disagree with that. I have worked with this Premier as leader of our party since 1982 and as Premier since 1985. That has not been my experience. I can say to the members as I say to my colleagues here that this is not the kind of leader this Premier is.

I have been in his presence with my cabinet colleagues and my caucus colleagues innumerable times when this Premier has drawn to our attention the absolutely essential basis for our conduct and our standards. He has shared that message and that point of view and that philosophy and that value of his own with us time after time after time.

There is no doubt in the minds of any of my cabinet colleagues or any of my caucus colleagues what are the ethical standards this Premier has for himself and the ethical standards that he expects of his caucus colleagues and his cabinet colleagues. That is clear, and that is not just by word, it is also by action.

This Premier brought in conflict-of-interest legislation that clearly spelled out what was expected of us. We all know from the many years that many of us have been present here that when you draft legislation you cannot cross every t and dot every i. That is not possible. There is always an element of judgement. We knew when we brought in that legislation, as in any other kind of legislation, you do the best you can under the circumstances that are available to you. You cover as many eventualities as you possibly can.

That is the kind of legislation we have got. I believe it is good legislation; and to follow that up, this Premier, with the consensus of all members of this House, appointed a respected jurist, the Honourable Gregory Evans, to head up that commission and to give advice to all of us if we had difficulties or if we had uncertainties.

This government, this Premier in particular, has opened up this government of Ontario in

ways that it has never been open before. Yes, that is risky. Yes, you take a chance when you open things up. It is much easier to protect and to enclose and to restrict, where you keep a nice, tight, neat little package.

That is not what this Premier has done or what this government has done. We have opened up the process. We have the most open and honest tendering process for government supplies, for government construction and for government advertising that this government of Ontario has ever known.

As a matter of fact, I have had numerous people come to me and say: "John, at least now we have a chance to bid. We weren't given a chance before. We know we'll get a fair hearing. We know we won't always win the bid, but we know we'll get a fair hearing, whether it is in advertising, government supplies or construction. At least, we know that it is open and that we have a chance."

With respect to appointments by this government, I really do believe that people recognize how much more open that has become. How many times members from all political parties—or let me put it this way—with different political affiliations have been considered and have been appointed. That is not a factor any longer in this government.

People from various ethnic organizations, religious backgrounds and different parts of this province, north, south, east or west, have been appointed to positions in this government. I know the number of times that we have had to look at those kinds of appointments around the cabinet table. I know the care that goes into considering the background of these people and their qualifications for doing jobs.

I am not suggesting that everyone is going to agree with it, but I am telling members that great care and great consideration is taken. I categorically do not support, and I would go so far as to say that I categorically deny that first point, that this Premier has failed to establish and enforce ethical standards. That is not the case; that is not my experience. As a matter of fact, just the opposite is my experience.

We then go on in this motion to talk about questionable relationships. I would ask my colleagues to consider those words, "questionable relationships." How open-ended and ill defined can you be when you make a statement like that? What does it mean? My God, I have relationships with 1,800 different agencies across this province. I have relationships with several hundreds of municipalities across this

province. I have relationships with I do not know how many umbrella advocacy groups and lobby groups.

I am sure that many people in this House could question the kind of relationship I have with them. Is it a relationship I should have at all? Do I do it in the proper way? Are they satisfied with the kinds of answers they get from me? Are they satisfied with the kinds of judgements that I make, the kinds of decisions that I make? The answer is probably no. Does that make them wrong? I hope not.

I hope that we would not start basing our relationships on these kinds of questions. I hope that we would understand that we have to make choices. We have to make decisions. We have to make judgement calls. That is the nature of our business. There is no bible that tells us in every single case what to do or what not to do. We are not computers. We are not automatons. We are human beings trying to do the best job we possibly can.

I go on, and in this motion we talk about allegations of favouritism. If there is one thing that this whole process has been about, it has been about allegations, over and over again. I would ask my colleagues on all sides of the House to carefully consider the implication of allegations, to carefully consider the fact that we are all totally exposed if we buy this concept, this philosophy, this ideology that anyone, at any time, for any reason can simply throw out an allegation.

My honourable colleague from the third party who preceded me in the speaking list referred to an article in the *Globe and Mail* today. He referred to a letter that was written to a columnist, which he quoted. I do not know whether members noticed or not, but there was no name in that letter. None of us knows whom it comes from. None of us knows what prompted that person. There was an allegation of where it came from and why it was written, but I ask members, my God, to put themselves in our positions, and I mean all 130 of us. Are we going to accept and open ourselves to that kind of activity, that anyone, any time, for any reason, can simply just make an allegation? How do we operate around here? How do members defend themselves from that position? What kind of respect do we have for each other? What kind of co-ordination and co-operation is possible if that is the rule of the law around here?

1530

Surely to God we still demand proof. Surely we do not accept such irresponsible statements

when they are not backed up by reasonable proof. I am not saying absolute proof. I would say to members that this motion does not speak to that. It speaks to allegations; it does not speak to reasonable proof. I would suggest to members that this is not the way this House and this Legislature should operate.

The final point in this motion refers to the Premier's failure to assume full responsibility for the actions of those he has appointed. Again, I categorically deny that. This Premier has continued to accept responsibility for this whole government. He has continued to accept responsibility for the actions of his ministers, but he has clearly indicated that he cannot stand in their shoes, that he cannot crawl inside their heads and their minds and act on their behalf.

I would ask my honourable colleagues to look at the kind of responsibility this Premier has assumed, to look at the kind of encouragement he has given to his ministers, to look at what we have done for the people of Ontario. I say to my colleagues that in the past four years, the people of the province have benefited significantly because of the activities of this government, of these ministers and of this Premier.

In my own ministry, when I first became minister, it was brought to my attention, and of course it was something I knew before, that thousands upon thousands of people in this province who were adopted, who were now adult and wanted to know something about their backgrounds were denied that opportunity. They were specifically and categorically denied that opportunity by the previous government. That was their philosophical position, their ideological position. I respected it; I totally disagreed with it. That is no longer the case in Ontario today.

We are constantly receiving grateful letters from people saying, "Thank you for giving me that opportunity to discover my brothers and my sisters whom I did not know, my mother or my father whom I did not know, a chance to know what my roots were, a chance to understand myself better." That opportunity has been given by this government. It would not be available if this government were not in place.

We know the number of elderly and disabled people who want to stay in their own homes and their own communities. The previous government of this province had before it an opportunity to introduce, for four or five years, an integrated homemakers program. They refused to do so. This government did it. There are countless thousands of elderly and disabled people in this

province who have the advantage of that opportunity who did not have it before.

For numbers of years, the native people in this province wanted to run their own children's aid societies, to look after the needs of their own children. They were denied that opportunity. This government has introduced that opportunity. In Tikinagan, Payukotayno and Weechi-it-te-win, in northeastern and northwestern Ontario, native bands, almost 60 of them, now have the opportunity to run their own children's aid societies, to be responsible for the welfare of their own children, to see to it that their families and their children receive the kind of support and help they believe they should have.

That is the kind of thing this government has done. That is the kind of thing this Premier has initiated in this government. That is the kind of thing I am proud of, to be a minister and a member of this government. That is why I categorically deny this motion and will not support this motion.

Mr Hampton: I am quite pleased to be able to take part in this debate, because I think this is a very important debate, given the context of politics in Ontario today and the context of government in Ontario today.

I want to start just by commenting a bit on the speech by the previous speaker. No one denies that this government has accomplished some good things. Let's face facts. Today, Ontario is at the richest stage ever in its history. When this government assumed office, the Premier said he was fortunate enough to become Premier of the province when there was a lot of money around, when the economy was buoyant, when there was a lot of industrial activity, when there was a lot of employment activity. If you cannot do something right, if you cannot do something good under those kinds of economic, political and social conditions, then you should resign and not be the government.

So let's get things straight. We are not talking about whether the government can accomplish something or has accomplished something or has not. I think generally this government is given credit for doing some things right, for doing a lot of things wrong, yes, but for doing some things right. We must also be mindful that it has been fortunate enough to come to power at a time when economic, social and political conditions allowed that to happen.

That is not what this debate is about. That is not what this nonconfidence motion is about. Let me delineate very specifically what it is about.

We have had more than just allegations. When something goes on for six weeks repeatedly in the newspapers and the media of the province and no one makes a satisfactory reply, it becomes more than just a simple allegation. Something cannot go on that long. We have heard the Attorney General (Mr Scott) say he wants to revamp the libel and slander laws of the province, because that would allow newspapers to make more fair comment; it would allow us to exercise our freedom of speech. These cannot be mere allegations for six weeks. Newspapers, the media, are not that stupid. They understand libel and slander.

What we have had is pretty clear. I will quote from the Liberal newspaper, the *Toronto Star*, which habitually and traditionally endorses the Liberal Party. Last weekend's edition says that nine cabinet ministers have received funds from a charitable institution. That charities are not supposed to contribute funds to political parties, political candidates, in any way. Six MPPs or their riding associations have received funds, and six organizers, fund-raisers, campaign managers, have also received funds.

It is bad enough that these funds come from a charitable institution, but some were over the limits. You are allowed \$750 in an ordinary year and \$1,500 in an election year. Somebody who has a simple calculator can figure that out. Some of the money, besides coming from a charity, was over the limits, yet it was accepted or there was an attempt to somehow not acknowledge that it had been received.

In other cases, we have money conveniently showing up four or five days after the election campaign for consulting contracts that the so-called consultant knew nothing about and admits he did not do any consulting work on. Or we have the mother of a cabinet minister being referred directly by the cabinet minister to do a housing study for \$5,000. The organization that supposedly commissioned the housing study does not know about it, cannot find it, cannot find the results of it and does not know how it ever came into being.

That was the start. Also on the weekend, we had printed in the *Globe and Mail* a letter from the person who has so far been at the centre of this in terms of the fund-raising part of it, a letter from Patricia Starr to the then principal secretary of the Premier, commenting upon some of the fund-raising projects she was going to undertake for the party. What astounded me was that you would think the person, first of all, would have the decency to keep her role as the administrator

of the charitable fund separate from her role as political fund-raiser, that when she write letters to government officials, to the Premier's officials, "This is how we are going to do the fund-raising," she would at least have the decency to do it on some letterhead other than that of a charitable institution.

1540

If it were the case that the person in question did not have any sense of that, then at least you would have thought that the government would have stepped in right there, that somebody in the Premier's office would have stepped in and said: "Look, please keep your charitable work separate from your political fund-raising work. Don't let the two become intertwined." Obviously, that was not done.

Let's go on a little further, to Ontario Place. Under the jurisdiction and direction of Patti Starr, we then had money going to the spouse of another cabinet minister. Allegedly, one of the ministers stepped in to reduce the amount of the contract. But let us not forget that it is not only our duty as politicians and the government's duty as government to see that things happen as they should; it is also the government's job to see that things appear to everyone to happen as they should.

Let us, all members face it, that is part of the problem, that so much of what has gone on looks really bad to any objective member of the public, looks improper, looks to be not the way we would want government and political affairs to be handled. It looks unsavoury.

We go on. Food contracts and other contracts at Ontario Place were not tendered, and further, there are fund-raising letters from the Liberal Party to hospital boards at a time when hospital boards across the province are saying to the Minister of Health (Mrs Caplan): "We're short of money. We're running deficits. We need more equipment. We need your assistance." What is the response, not of the government, but of the Liberal Party? "You, as the hospital board, buy a ticket to our fund-raiser." These things just do not present a very good picture to the public.

What about hospital and school boards? Taxpayers' money goes to hospital boards to operate the health system and to school boards to operate the school system. Yet this taxpayers' money, through Liberal fund-raising projects, winds up in the coffers of the Liberal Party. Somebody, whoever is in charge over there, a long time ago should have stepped in and said: "Look, this is not a very clean ship. This should not go on."

But instead of that, what have we seen? We have seen attempt after attempt to justify some of this behaviour, to say it is really not that serious or that the conduct is okay and acceptable by the standards of the Premier.

So far we have not seen or heard any voice or note whatsoever of condemnation of what has happened in the case of the Minister of Culture and Communications or any note of condemnation saying that some of the affairs of the Minister of Housing (Ms Hošek) are improper or that the nontendering of contracts at Ontario Place was improper; none of those things.

I wish to say that contrary to what the previous speaker has said, it is not what the government has failed to do or has done in a given policy area that we are speaking about here today. It is purely and simply this government's failure to adopt standards the public would find acceptable and believable and then act according to those standards. That is the issue. For that reason I am supporting this nonconfidence motion, and I suspect there are even people on the government side who feel very badly about this and do not like the unsavoury smell that is coming from this place as a result of this.

Mr Cousens: I do not think anyone enjoys having to come into the House at a time when there is so much to be done and have to stop for a nonconfidence vote that is not going to pass unless there is a change of heart from a large number of the Liberal backbenchers who are following along. None the less, there is an important procedure that has to be done here and that is to ensure that the public trust be maintained and fulfilled. Those of us who are invited to have that opportunity to serve the public have to make sure that our actions are above and beyond what we are in a position to review today.

I think that Sam Slick in Thomas Haliburton's writing said, "Innocence is not suspicious, but guilt is always ready to turn informer." What we are seeing here in the revelation of the events of the last four years that are now coming forward into the press and the media and this House is that the guilt is turning informer. We are becoming very much aware of what has been going on behind the scenes with this government.

Sam Slick also said, "I believe that in politics, as in other matters, honesty is the best policy." When I was sitting and trying to see whether this issue was going to expand to become the affair it has become, I really did not believe that it would become such a quagmire of problems nor that it would become something so pervasive, touching upon so many people.

It was probably crystalized best of all when a refrigerator and a paint job were involved. That, more than anything, got the Premier up and reacting and made him realize that something serious had happened around him. Until then, I have to say, he stonewalled and his government reacted in such a negative, unlistening way that it would have appeared the opposition and our party were really not saying anything of importance at all. It was not until it was in the Premier's own office, and a refrigerator and a paint job were brought to his attention, that this became an issue.

The previous speaker was talking about allegations and innuendo. If he wants to call a refrigerator an allegation and a paint job an innuendo, maybe he has new definitions for those. It is a serious matter. It is a matter that touches upon the integrity of government and the integrity of democracy. It touches upon every one of us in this House.

It is a serious matter when a cabinet minister, the Minister of Culture and Communications and member for Hamilton Centre has certain involvements here. It is a serious matter when the member for St Andrew-St Patrick (Mr Kanter), as well, has been implicated.

It is a serious matter that the former Solicitor General has resigned. It was stonewalled up until a certain point, but it was as if nothing was going wrong or nothing—

Interjections.

The Deputy Speaker: Order, please. The afternoon started well without any interjections. If we may proceed without interjections, I would appreciate that.

Mr Cousens: There is no doubt that the former Solicitor General has resigned. It is not going to go to a public commission for further review, but there is little doubt that there has been a problem. We brought forward—

Mr Miller: Because she did a good deed.

The Deputy Speaker: Order please, the member for Norfolk.

Mr Cousens: We brought before this House an opportunity for the Premier to set in motion a set of standards of conduct for cabinet ministers, and the government ruled it out. We have a situation where the chief commissioner of the Ontario Human Rights Commission has shown a real failure in how to handle that office.

We presently have five investigations under way. We have the public trustee looking at the whole matter of a charity. We have the Provincial Auditor, who is required under the public

accounts to do so, looking at it as well. We have the Commission on Election Finances looking at this. We have the police making an investigation and we have a judicial inquiry under way.

I have to say that I was listening to the Minister of Community and Social Services and member for Kitchener-Wilmot (Mr Sweeney), who is one very honourable member. He sanctimoniously and in such a kind, generous way believes in everything that is going on. He cannot just stand there and say that everything is crystal clean and white and pure when there are five investigations under way.

I have to say that there is something the matter and that is why we are having this motion of nonconfidence. It is a serious matter. It touches upon the integrity of this government and on the integrity of all of us who serve in this House. It is not just a matter that there are one or two or three incidents; it is what else is involved. I know people are looking at the papers every day now and saying, "What else am I going to find written there about a new revelation, a new development or a new situation that has come forward just in the four years since the David Peterson government took over?" One wonders.

1550

Tomorrow in the committee on public accounts I will be bringing forward a motion which will again try to touch upon one of those areas which we believe is a problem to this government and a problem to government as a whole. When you start having this question of honesty and integrity you start to ask questions. Do not place too much trust in a person who boasts he is honest as the day is long, as you just might bump into him in the night. That is when you start to see what the person is really like. What has happened is that we have now seen this Liberal government in the full brightness of sunlight and realize that there are problems.

It has touched upon what we see as Toronto the Good and what we are seeing—

Mr Black: That's a ridiculous statement.

Mr Cousens: I really take offence. I did not say a word when the member for Kitchener-Wilmot was speaking, and the member for Muskoka-Georgian Bay keeps interrupting. If the other members of this House are going to continue to have their interruptions, let them have a chance to speak. But we are just talking about respect for other members in the House. We sat quietly while the member for Kitchener-Wilmot spoke and what I am getting around me are constant interruptions and interjections by

Liberal backbenchers. Let them stand and make their statements.

I am saying that Toronto the Good has a different image now. We are picking up a different appearance. When people think of this city, who knows whether they will think of it as another city that does not have the reputation that we have been so proud of for so long a time? I do not want to mention those cities, but there is not one of us who does not know of cities that are held in low esteem because of the kinds of things that have gone on there—the kind of corruption and the kind of erosion of values and principles that is common in other areas. That, in fact, has now been manifested in this city and in this province.

I am saying we want and we would believe in the kinds of things that the member for Kitchener-Wilmot was talking about, if we could believe that that were all true. We believe in good government and we believe in doing things that are right. People are drawing comparisons between the present Premier and the past Premier, the present government and the past government.

There is an overwhelming nature to the problem that we are dealing with. What it has to do with is the undermining of confidence, not only of the members of this House, but also of the people of Ontario. I suppose the popularity polls will be the next things we will start to see. The Premier and his government have been extremely high on those polls of popularity, but now when the facts unfold, people will begin to understand that it has been a false trust.

What we are seeing now is a government that is in a state of paralysis, with an inability to control the revelations that are coming out and that will continue to come out. The Premier said it could be 20 years if we had a public inquiry that went on and we would be happy. No, I would like to get it over with and get on with what is really good and right.

What we have to do is clean out what is wrong and get rid of what is not correct. We in this House have a responsibility to make sure that what is right is what is done. It is leaving an image of this House and of parliamentarians and politicians that is pervading the public that all politicians are corrupt. We have all had that conversation lately with people from our own constituencies who are concerned about what has gone wrong in this House. I have to say in that respect that it is a blemish upon all of us and upon everyone who is involved in something such as this.

What does this say about our parliamentary system? Unfortunately, question period ends up being a very unsuccessful way for us to try to get to the facts and the truth. In our House many questions are asked every day of the week when this House is sitting and on a very regular basis. There is no way in which either the Premier or other cabinet ministers who are asked questions are required to answer those questions. Therefore, what we get are flippant answers that do not touch upon the core of the questions that are asked. Question period has become a farce in this House by virtue of the answers that are received.

I have to say that the questions that have been asked by the opposition party and our party have made a significant and sincere effort to try to get to the bottom of these situations, without too much success. It has come outside the House where we start to find out what is going on. It happens on a Thursday night that we learn about Mr Ashworth having to resign.

What happens is that when this House has to respond to the—I think it is foolish when you have to resort to the bells. It was unfortunate that the bells had to be used in order to make a point that we had to make when we were dealing with the situation regarding the former Solicitor General, the member for London South (Mrs E. J. Smith).

Now the government has come in with its majority and said, “We’re going to change the rules.” I will tell the members this much: We would not be having these kinds of problems in this House if it were a minority government. Had this government a minority, I can assure you, Mr Speaker, this confidence motion that is being brought before this House today would carry and it would be out of office.

Hon Mr Conway: The threat of an election would send you to Markham so fast you will never be heard of again.

The Deputy Speaker: Order.

Mr Cousens: I would be quite prepared to run an election right now, based on this issue and on any other issue that is going along in this province.

Interjections.

The Deputy Speaker: Order, please.

Mr Cousens: It has to do with the integrity and failure of your government, and you, and other members of this House, who have lost the trust of other members. It has been a total breakdown, Sean, and you have to be sure of it. You are partly responsible for it, as are others.

Hon Mr Conway: I am just saying that minority government means you have to be

partly responsible. In a minority government, you would be so responsible as to be—

Mr B. Rae: I was.

The Deputy Speaker: Order.

Interjections.

Hon Mr Conway: The thought of Ed Philip and Tom Long at the altar is truly inspiring.

The Deputy Speaker: Order, please, the government House leader.

Interjections.

The Deputy Speaker: Order, please. The members are wasting the House's time. Could I also remind the members again about the interjections and remind the member for Markham to address his remarks solely through the Speaker?

Mr Cousens: Thank you very much, Mr Speaker.

It is an abuse of power, and that is part of what we are trying to bring forward here. I think we are talking about a precedent that has been set over the past four years. It is a series of precedents, and it is important for all of us to see that power is used wisely. It is not just the perception now, it is the acknowledgement that there are significant and serious problems with the way this government has been dealing with power in this province.

It bodes badly for what democracy is about. It is a disappointing and discouraging thing to those who seek to serve the public good. It is something that I am sure puts our young people at a different kind of view when they see this going on in the Legislature.

I see an important need for this government to come along and acknowledge the need for guidelines for conduct of cabinet ministers, conduct of themselves; a code of ethics which they are going to be able to follow and which we are going to believe is supervised.

I have to say at this point the nonconfidence motion that has been placed before this House today touches upon so much of what politics is all about. When that trust is broken, when we cease to believe in the integrity of the people who are really doing things, when you are being stonewalled on a daily basis, when you are being told everything is just fine and yet there are examples of a breakdown in the system, a refrigerator and a paint job, right within the Premier's office, when we have situations within his cabinet right now that need to be fully exposed—instead, it is just coming like an unravelled piece of string, inch by inch by inch.

I say now is the time to deal with it and deal with it intelligently, and that is, let's get rid of the Liberals in Ontario. Let's just—

Interjections.

The Deputy Speaker: Order, please.

Mr Cousens: Come on, if they had to go to the people right now, they know full well many of them would not be back here.

I would say the public of Ontario deserves more than they are getting. What they are getting instead is poor government by people who have lost sight of the challenge to maintain their trust with the public at large.

1600

Mr Beer: I rise to join in this debate and I think, as has been expressed, that this is not a debate we like to undertake in this House but because the motion has to be put, we on the government side want to state most categorically, most clearly, that we reject all that is in this motion and we will be voting and opposing it.

When we go back to our ridings, our constituencies, as we have over the last few weeks, many of us have the opportunity of speaking with our constituents and talking about this particular issue that has come forward and how it is being dealt with by the Premier and the government. There is no question that everyone in this House recognizes that critical to the success of any democratic system is a sense of trust and confidence that the people have in it.

Surely the events in the month of June and in late May, as we watched a number of things occurring in China, the Soviet Union and Poland, demonstrated clearly how fortunate we are in this country to have a democratic system of government and how tremendously important it is for us to ensure that system continues. We do not always recognize how slender is that thread that links electors and those elected and how it important it is, therefore, that we do our utmost to ensure respect for our political process and political institutions. I think that what we believe is happening and what I believe the people in the province understand is that this Premier and this government are trying to get at the root of the problem that has emerged in the last couple of weeks and that the actions we have taken, the actions the Premier has taken, are the correct ones and that the facts will out, as they should.

Over the last decade or so, members of all parties have tried to develop a more democratic and more open political electoral system. We have tried to ensure that any citizen in this province can look forward one day to running as

a candidate in a riding. We have tried to change the way in which contributions can be made to political parties. We have brought forward what I think we would all agree is a much more democratic process. With that, we have found there have also been some problems.

As my colleague the member for Kitchener-Wilmot pointed out, no law, no regulation and no guideline can cover every single element of human conduct; we have to also look at the standards which we set for ourselves as individual members and as legislators. In doing that and in seeing the actions this government has taken in recent days to try to get to the bottom of the problem that has emerged, my colleague the member for Kitchener-Wilmot noted again that in this motion there is an implication and intent to somehow personalize all of this. I think we have to respond to that.

I have known the Premier for a good number of years, long before both of us became members of this House. At university I often met him in various platforms debating issues, policies and whatever was happening at that time in the 1960s in Canada and in this province. Later I worked with him while I was on the staff of the then Leader of the Opposition, Stuart Smith, and finally, since 1987, I have had the pleasure and privilege of serving with him in this House. I think over that period of time, you begin to get the measure of the man. You begin to have a strong sense of what drives that individual and that does not mean that any one of us is perfect, and the Premier would be the first to admit that, but certainly I have a strong sense of what his standards are; what it is that he expects of me as a member of this House in terms of my conduct and I think all of us have that sense and that knowledge.

It was particularly because of his intent on becoming leader in the election of 1985 to open up the political process so that everyone in Ontario would feel that he or she could participate, and that everyone was able to see a government which would work in a far more open and direct way with the people of this province. That message got through and those expectations that were out there that were developed have then come forward and they are the ones that we deal with today. So I would suspect that the standard of conduct that is expected of us today by the public at large, is in fact a tougher standard than perhaps that which existed a number of years ago.

At the root then of the discussion and of this motion is the question of confidence. The issue

here is not whether there may have been some things that happened that were wrong. That is precisely why the Premier has established the judicial investigation. That is why at different times we have asked that the Commission on Election Finances and the public trustee look at various areas where actions have taken place and where there is perhaps need for a change to laws and regulations. We are going to have to act when those reports come in.

But we have always said there must be due process. Simply to make an allegation does not mean that someone is thereby guilty. Surely, we have a responsibility in getting to the root of this problem and of ensuring that in addition to getting those who have committed illegal acts, or making known those who have committed unethical acts, that we do not slander people who are innocent. That is where a judicial investigation—it strikes me—becomes the appropriate place to look at all of the issues that have been raised by the various members this afternoon in speaking to this motion.

J'aimerais également signaler à nos compatriotes de langue française que l'on peut facilement comprendre pourquoi, un peu partout dans la province, les gens s'inquiètent de cette question. Ils tiennent à ce que le gouvernement prenne les mesures nécessaires pour résoudre le problème et qu'il explique, par l'intermédiaire d'une enquête judiciaire, ce qui est arrivé et pourquoi cela s'est produit. Ils veulent également que ceux qui ont commis des actes illégaux reçoivent ce qu'ils méritent, parce que la confiance que nous devons avoir en notre système politique est beaucoup plus importante que n'importe quel individu, gouvernement ou parti.

Je pense que tous les députés de cette Assemblée sont du même avis: nous devons démontrer à la population dans son ensemble que nous voulons travailler pour le bien commun. C'est notre raison d'être; c'est notre devoir. Chaque député est là pour faire le bien; il n'est pas là pour aller à l'encontre du bien public.

Dans cette perspective, je pense que le Premier ministre (M. Peterson) a pris des décisions importantes, qui sont nécessaires pour que nous sachions toute la vérité sur cette affaire.

If we look at the series of allegations that has been made in this House and elsewhere, it seems to me that the point arises where the government has to say, "What is the best way to ensure that we can find out all the facts?" So we have had in recent days demands for investigations and then criticisms that they have been set up.

1610

The judicial inquiry is a route which has been taken in matters of this kind in this Legislature and in others, because it provides to everyone the fairest and most effective way of determining exactly what happened, who did what to whom, for whom and why. For us to try to sit here in judgement on all of those facts or what we think may be facts, surely is not the appropriate way to proceed.

The Premier has said, here and outside, that he wants to ensure that all those facts come out. I do not think there is a member here who does not want to see that and does not support that. I think that when we see that investigation get under way, those facts will come forward and we will have the truth and we will know what has happened.

When I go back and talk to people in my riding and get a certain perspective or distance from this place, I think sometimes those questions become clearer, the questions that people want answers to, and I believe they have a faith and confidence in the Premier to ensure that that happens.

I think it is terribly important that as we go forward to resolve this issue, we do not, through innuendo and allegation, tear down aspects of this institution and this process in a way that I do not think any one of us wants to do but that can happen, in part because we get so caught up in the goldfish bowl that we are in at times here in terms of the kinds of attacks that go back and forth.

Clearly, we all recognize that we must have an electoral process, an electoral system, and that we must have a way of funding that system that is aboveboard and that everybody can see. That is why we have a system in which every donation that is made for \$100 or above is marked down and the name is there and that is public and open to everybody. The donations of anyone who contributes to my campaign in that way, or to any other member's, are known; and we want them known, because we want people to see how we are funded and who is participating.

So we have made our system, we have made our Election Finances Act and we have made our Members' Conflict of Interest Act, all of those among the strongest, among the toughest that exist in any of the democracies, and I think we need to recognize that they are there.

What we have discovered, as we have heard these various allegations and charges, is that that may still may not be where we want to be, that there are still some things we want to do to make that system tighter, to ensure that nothing in fact can happen that is illegal or unethical. I would

say that all 130 of us share that desire to make our political process in this province the very best so that these issues do not come up again and so that we are not debating them constantly.

But the question the motion speaks to is: Do we have confidence in the Premier, in this government, to deal with the issues that have been raised? I say for my part and for the government members that we most certainly do and that we believe fervently and strongly that the actions that have been taken are going to give the answers that are needed and necessary.

As the member for Kitchener-Wilmot said, by doing that and ensuring that happens, we then get on with the agenda that is before us, the agenda that has emerged from the throne speech and from the budget, that speaks to a variety of initiatives, whether we are talking about social assistance, education, the environment, the post-secondary area or many other areas which are of direct and immediate concern to the people of this province and where they expect the government to lead and to act.

That is precisely what this government, under the leadership of the Premier, is trying to do. We are determined that in dealing with that agenda, we must get beyond this issue and we must demonstrate clearly to the people of the province that all the facts will come out and that those who have acted improperly will have to receive the consequences of those acts. The Premier has stated that clearly again and again.

In my view, if we want to proceed and deal with the issues that have come up around this matter over the past several weeks, those decisions have been taken. The proper way to deal with the various questions that to a certain extent are now being repeated in this House is to put them before that inquiry, and there they can properly be looked at. When that is done and when that report is made, we will then be able to see what has happened, and the various actions that have to be taken will be taken.

Let us be very clear that this government has a plan of action, that the Premier is in control of that plan, of where we are going, and is directing it, and is working with the members of his cabinet and his caucus. In that sense, we are united in ensuring that we go forward with that program and try to improve the lives of all the residents of this province.

This motion will not receive the support of our party because it does not speak to the truth.

Mr Philip: I rise in support of this motion.

The Minister of Community and Social Services, for whom I have the highest respect,

argued passionately that a nonconfidence motion should be devoted to dealing with the disagreements the opposition may have with policy instead of dealing with what this particular motion deals with.

The essence of this motion is "the failure of the Premier to establish and enforce ethical standards of conduct for members of his government." To the Minister of Community and Social Services, this is not a matter on which nonconfidence motions should be based. I just remind the minister and members of the Liberal government of a quote from Rousseau, who in 1762 said, "Those people who treat politics and morality separately will never understand either of them."

I raised the issue of the ethical standards of this government when in June 1987 I received a call from members of the board and the administration of the Etobicoke General Hospital. There was a fund-raising dinner for the then Minister of Health scheduled for 15 June of that year. They felt compromised; they felt irritated. They felt that this dinner, which had a target of some \$200,000, simply meant that the Minister of Health was using them to raise and to bag money for the Liberal Party.

They had every reason to raise this issue. They felt, as people who had to go before the Minister of Health to ask for funds for their hospital at that time, that they were in a quandary. Did they deal with their own ethical problems of giving what they considered to be a bribe and therefore assist their cause—namely, more beds that were needed at the Etobicoke General Hospital—or did they say no? In their case, they said no.

1620

The defence of the minister when I raised the issue was astounding. He basically argued that his staff, who had sent out letters to hospital boards across the province, in fact had used their own time. But that was not the principal issue. The issue was not that civil servants were being used for partisan political purposes. The issue was that a minister of the crown was using his position of power on people who were vulnerable to raise money for partisan political purposes.

This came on the heels of a series of events. First, there had been the Liberal economic advisory forum, which sold access to the Premier for \$1,000. Then there had been the acting chairman of Management Board (Mr Elston) selling access for \$250 a person at a breakfast. There had been the Attorney General who had invited lawyers, obviously dealing with the profession in which he was making decisions as

the minister, to attend his fund-raising event at \$200.

The Minister of Community and Social Services makes the argument that everything is okay if it is legal. But everything that is legal is not moral, and that is the issue I think members of this party are trying to make in this House. It is immoral to use money that is targeted by the taxpayer for the sick. It is immoral to use that money targeted for the sick for partisan political purposes. It is immoral to use funds that are designated for education for partisan political purposes.

The Premier now admits that maybe it is wrong, maybe there should be a change to make it illegal for hospital boards and school boards to contribute to partisan political purposes. But one has to ask: Where was he in 1987 when these issues were raised? Why has he not acted since then? Why have we not had a statement in this House that now, recognizing it is wrong, he will ask the Liberal Party to return each and every dollar that was contributed by these boards of education and by these hospital boards?

We had the atrocious example of the former Solicitor General, who should have known that cabinet ministers have no business approaching police on any matter in which they have an interest and that as the province's chief police officer her behaviour was simply inexcusable. Yet it took weeks and weeks and weeks of revelations before the minister finally tendered her resignation.

There was a time when this Liberal Party at least gave lipservice to having a sense of ethics and a sense of justice. There was a different Smith, a former leader of the Liberal Party, Stuart Smith, who said, in dealing with a similar issue involving the then Solicitor General, in this case Mr Kerr: "The question in my mind is why, a couple of days ago, the government tried to brazen this out. There remains the question of how the administration of justice may have been interfered with."

Dr Smith said he wanted to know the extent to which there was an effort by the government to hide the full truth. He was referring to the disclosure of a report to the Attorney General that Mr Kerr told assistant crown attorney David Price that a jail term would serve no purpose when he telephoned him about a pending court case involving a constituent.

So when it happened that the Progressive Conservative cabinet ministers were doing the same thing that the former Solicitor General was involved in, it was wrong and the Liberals were

very self-righteous about it and demanded resignations and condemned the government. The government at that time acted an awful lot more quickly than this government has.

What we see is a series of events showing a very suspicious passage of patronage to those who are the mouthpieces of the lobbyists who have been collecting money for the Liberal Party. We have seen the passage, from 1985 through 1987, of these moneys. I am not going to list them. All I can say is that it became such a maze of patronage and donations that the Toronto Star had to set out a whole chart so that the average person could follow who was getting what from whom and what they got in return.

This goes beyond the issue of the individual cabinet ministers, the individual donations to the Liberal Party and the individual case of Patti Starr. What it goes to is a system in which we have a patronage system where those with very large, powerful interests are able to influence government in a way that others without power cannot.

In 1976, when the Corporations Information Act was before the standing committee on administration of justice of which I was the chairman, Mr Angus made some very powerful arguments, as did Mr Renwick, for proper disclosure. Mr Cunningham, a Liberal member at that time, said, "I think it would be in the best interests of the people of Ontario to know just who the companies are and whether in fact the directors were Canadian and who and where they operated from." He then went on to rationalize that, for some reason of privacy, the Liberals could not support that kind of disclosure.

We saw after that then the whole scandal of the Cadillac Fairview flips and a whole series of other things, and it is coming back to roost right now. It is not something which started a few months ago or started in 1985. In fact, it can be traced back to the failure of the Liberals and the Conservatives in this House to deal with the whole matter of exactly who the powerful are and how they are operating. Unless we deal with that problem, we can pass any law we want. We can pass any restrictions on members of the Legislature and we are still going to have a basic power problem that we have to deal with.

The Premier has failed to do what any responsible leader of government would do in a situation like this, to say to the Minister of Culture and Communications: "You should have behaved in a way which not only was moral but also looked moral. There is an investigation on now and, in the interim at least, you should

resign." Instead, the Premier has decided to try to tough it out, and this has not worked very well for him. So we have one series of investigations after another.

Franklin Roosevelt said: "It is better the occasional faults of government that lives in the spirit of charity than the consistent omissions of government frozen in the ice of its own indifference." This government has lost confidence not because it has made mistakes, not because it has faults, but because the Premier has shown an indifference to those faults and to those mistakes. For that reason, I, as the representative of the people of Etobicoke-Rexdale, have no confidence in this government.

Mr McLean: Mr Speaker, I want to thank you for giving me the opportunity to say a few words on this motion of nonconfidence brought before this Legislature by the leader of my party, the member for Sarnia (Mr Brandt). It disturbs me that we have reached the point where we have to even consider a motion of nonconfidence, but circumstances warrant such action and the people of Ontario are demanding answers.

They are answers to questions that the government refuses to respond to in an honest and a forthright manner. This government has been mired in a seemingly endless series of crises which have disrupted the business of the Legislature and brought into question the ethics and judgement of elected officials and political appointees.

We are all no doubt aware that resignations were submitted by the Solicitor General, the chief commissioner of the Ontario Human Rights Commission, Raj Anand, and Ontario Place Corp Chairman Patricia Starr. The resignation of the latter came at a time when there were several allegations into her alleged misuse of funds from a charitable foundation to support the election campaign of mainly Liberal politicians.

We all know that the Premier was backed into a corner and forced to call a judicial inquiry into this matter. These investigations will concern themselves solely with determining whether any laws have been broken. Legal improprieties must be identified and the appropriate action taken, but who will render judgement on those who have broken the trust of the people of this province?

I believe the Premier should establish a strict code of conduct and ethics for his ministers and his backbenchers to guard against future abuse of power. This is a power entrusted to the government by the people of Ontario and they deserve nothing less. The establishment and enforcement

of such a code is only the first step if the Premier is to restore public confidence in the political process in this province. The Premier must also provide assurances that elected officials will work for the betterment of the people of Ontario and never for the advantage of political friends.

1630

Just how has the government handled pressure from the opposition parties over the seemingly endless list of scandals, revelations and allegations? The House leader threw a temper tantrum and he brought in a proposal that would see a unilateral move to change the rules that govern how business is done in the Legislature. More importantly, the government House leader said he is determined to put an end to bell-ringing, which recently paralysed the Legislature for more than a week.

I believe the government House leader's proposal to change the rules of this Legislature is really an indication of an arrogant and angry government punishing the opposition parties for forcing the former Solicitor General into doing the right thing, resigning her portfolio because she made an inappropriate night visit to an Ontario Provincial Police station following the arrest of a family friend. As well, this government wants to punish the two opposition parties for focusing attention on Pattigate, in which the former chairman of Ontario Place was forced to resign after allegedly making blatant political payments from a charitable foundation to numerous provincial government ministers and also some backbenchers.

I want to make it clear that I do not favour bell-ringing, either, and I do not agree with delay tactics. However, it was the only tool available to the opposition parties to ensure that matters in the House would be dealt with appropriately and to make the concerns of our constituents known to a majority government.

Rather than throwing a temper tantrum and moving unilaterally to change the rules of the House undemocratically, I would suggest the government clean up its own act and adopt less draconian rules and changes that were recommended by all three parties.

By questioning the government over its more than questionable actions and by focusing public attention on the scandals, revelations and allegations, the two opposition parties are only doing their job. We are not trying to make this government look bad. We do not have to, because actions speak louder than words. By forcing the government to face up to its unacceptable practices, the opposition parties

have only been doing their job. It is a job the people of Ontario expect us to do to the best of our abilities. They deserve no less. Doing our job should not result in a government temper tantrum, but in a government that should be owning up to its responsibilities.

I was intrigued by the remarks of the member for Kitchener-Wilmot, who stood up and indicated the leadership that has been provided since the Premier has taken power. I have to say to him that it is important that he does not forget the fact that a Premier not only has to show leadership, but has to be seen to be showing leadership. To allow the things to happen that have gone on and not to have been up front and forthright and ask for resignations when they immediately came to his attention, I believe indicates that the Premier did not show good judgement and good leadership. It is his responsibility to do that. People expect him to do that.

I find it hard to believe the many members who have had fund-raisers, who have received thousands and thousands of dollars from a charitable organization and who have seen fit to accept money from hospital boards and different agencies. People have been involved in fund-raising with regard to their political friends and the backbench members of the government have accepted funds.

It is all right for some people to say, "I was not aware of it; I did not know it happened," but ultimately that person is responsible. To do the honourable thing, they should resign until those misconceptions have been dealt with and cleared up.

That is really what it is all about, the ability of the Premier to make those judgement calls when they are necessary. Giving \$5,000 to your mother to do a job would be like anybody's wanting to give his son \$5,000. We know that is not proper and not right and the Premier immediately should have asked for that resignation until it was cleared up. I do not know of any survey; there never has been any proof that a survey has been done. There has been nothing to show what that \$5,000 was made available for.

It is interesting to know how some of the rules have changed with regard to the showing of the SkyDome party, \$5,000; dinner for the member for York Mills (Mr J. B. Nixon), \$2,000 and an additional \$1,500 for a fund-raiser; two heritage dinners—they go on and on and they have been listed in the paper many times. I believe what we are talking about here is the leadership and the judgement of the Premier, which we question. That is why my leader the member for Sarnia has

put forward this motion of nonconfidence in the government.

Mr Morin-Strom: I think it is unfortunate that we have to spend this session dealing with the matters that are contained in today's nonconfidence motion. It would be much better if we were able to deal with the substance or lack of substance of specific government initiatives when it comes to dealing with the matters at hand in Ontario.

However, the events of the last few weeks really have shaken the faith of the people of this province, not only in this government but in terms of their representatives generally. That certainly is a most unfortunate event.

I would like to read the motion so that we know clearly what we are discussing today. The motion from the leader of the third party reads: "That the government lacks the confidence of the House because of the failure of the Premier to establish and enforce ethical standards of conduct for members of his government, including ministers of the crown and senior appointed officials, because of the questionable relationship among members of the government, the Liberal Party of Ontario, political appointees and financial supporters, because of the allegations of favouritism in the awarding of contracts to friends of government, and because of the Premier's failure to assume full responsibility for the actions of those whom he has appointed."

We all know today that the Liberal members of this government, who number some 94 of the 130, will not support this motion of nonconfidence. They will stand and show that a majority of this House in fact has the confidence of the House because the government party did receive a majority of the seats in the last election.

However, I would venture to say that if one looked across this province today, this motion would not pass a majority vote of the people of this province and that this government in fact does not have the confidence of the people of this province, even though the governing party does have some 94 seats.

The people of this province seriously question the ethics and standards by which this government has been operating. The revelations in recent weeks have gone well beyond anything I have seen in my political life, which, admittedly, is not as long as that of many others here. But as I understand it, we have not seen in Ontario in many decades a scandal or situation in which the numbers of elected officials have been implicated in a case such as this one. It certainly is a questionable situation when we have not only

allegations but the clear, documented proof that illegal payments were made from a charity to some 25 candidates for elected office in the last several years and nine of those candidates who received donations, either themselves or their riding offices, are now sitting in the cabinet of Ontario. We have nine cabinet ministers who did receive donations from a charitable organization, donations that are illegal under the laws of our country.

1640

One has to question not only the activities of Patricia Starr, Tridel Corp and the DelZotto family, which, as has been indicated, are going to be the major subject of the judicial review that the Premier has called on, but one has to go much deeper and look into the political—particularly the fund-raising—organizations that receive the funds from these organizations, almost totally, in the case of Ontario, within the Liberal Party of Ontario, and the relationship that developed as a result with the development industry in particular. One has to question what kind of influence is being purchased with this government through the fund-raising activities of people such as Patricia Starr and others who are involved in major fund-raising activities for the Liberal Party of Ontario.

We have had several examples illustrated today, but I would like to illustrate another example that has not been mentioned that is certainly one which brings concern with respect to representation in the cabinet of Ontario of business interests that are major financial backers of the Liberal Party of Canada.

Last October, as an illustration of the type of fund-raising activity that occurs, there was a major fund-raising event for the Minister of Industry, Trade and Technology (Mr Kwinter) and his provincial Wilson Heights Liberal Association. That fund-raising event brought in for the Liberal Party, and in particular this riding association alone, some \$60,000 in donations from one event.

Because the financial returns of constituency associations are public knowledge, we have the list of donators to that event and to this riding association, and it includes over 280 donations for tickets for that event, almost solely from corporate sponsors, including support from Patricia Starr herself, who is listed as having donated \$750.

As a result of this kind of activity, the minister, who is responsible for industry, trade and technology and is responsible the activities of many of these corporations which were donating

to him directly, has one of the wealthiest riding associations in the province. At year end, this riding association had cash of \$49,006 and it had an investment certificate of \$50,000, total assets, including accounts receivable and inventory, of over \$100,000 and no liabilities—

Mr McLean: Is that the member for Renfrew North (Mr Conway)?

Mr Morin-Strom: That is the provincial Wilson Heights Liberal Association.

At the same time, during the last year this riding association donated some \$30,000 back into the Liberal Party of Ontario, so in effect it was able to build up a surplus of over \$100,000 while still donating back into the parent organization some \$30,000. Considering that in the province the election spending limits for an election campaign are only on the order of \$50,000 per campaign, this riding association already has enough funds to pay cash for the next two election campaigns.

Meanwhile, what kind of work do we have from the Minister of Industry, Trade and Technology on behalf of these industries that have built up this kitty for his riding association? I have an issue of *Update*, the regular newsletter of the Ontario Trucking Association. In that newsletter, it expresses thanks to the Minister of Industry, Trade and Technology for the hard work he and his ministry have done on behalf of the industry association and other industry associations in fighting progressive labour legislation that the Minister of Labour (Mr Sorbara) has sponsored for Ontario. I read from this newsletter of 9 June 1989:

"Employers' Concerns Continue Over Bill 208.

"Prior to the introduction on 24 January of Bill 208, An Act to amend the Occupational Health and Safety Act, eight industry associations including the OTA began working to convince the provincial government that this law must be amended before it proceeds to second reading. The 'Bill 208 Business Coalition,' as it has become known, has worked with officials at the Ministry of Industry, Trade and Technology to express mutual concern and to propose alternatives to key aspects of this legislation.

"Early in April the coalition met separately with the Labour minister and Monte Kwinter, the Minister of Industry, Trade and Technology, to present a joint position paper. It seems these efforts have effectively convinced the government that Bill 208 needs revision. After allowing the government the opportunity to review the proposals, the coalition requested further meet-

ings." Earlier this month, "on June 8, OTA and other industry association representatives met with Peter Barnes, Deputy Minister of Industry, Trade and Technology, and later with Treasurer Robert Nixon.

"It appears evident the government is reassessing the situation and is contemplating changes to Bill 208 before it is introduced for second reading."

Here we have a minister, whose campaign organization has become one of the wealthiest in the province funded by industry, advocating within the cabinet for changes that would hurt the working people of this province. We do not have a minister in that cabinet advocating on behalf of the working people of this province for more progressive legislation to improve worker health and safety.

We also have in the same newsletter references to another major initiative of this government, Bill 162 on the Workers' Compensation Board.

"Fulton Supports the OTA Owner-Operators on Workers' Compensation Issue:

"Transport Minister Ed Fulton agrees that deeming owner-operators to be employees for the purpose of workers' compensation would jeopardize an important intent of regulatory reform."

The article goes on to say, "The minister's support for the OTA on this issue is extremely beneficial. Fulton joins Industry minister Monte Kwinter in expressing concerns over the board's proposed policy which would effectively deem owner-operators to be workers for purpose of workers' compensation."

Here we have two ministers of the crown working hand in hand with industry to take away the rights of workers in the province to be able to collect on workers' compensation. They want to deem these workers to be not workers but owners, because of the contractual relationship they have been forced into by the trucking industry, and would deny them the rights to workers' compensation.

Again, we have a minister of the crown, who has taken in \$60,000 in one major fund-raising event alone, advocating on behalf of industry concerns and opposed to the interests of working people of Ontario.

1650

The problems facing this government in terms of the conflicts that have been reported in the last couple of weeks go on and on and in fact go right to the Office of the Premier as well. One has to be seriously concerned when one sees the amount of factual information that has been reported on a

day-to-day basis with respect to the scandal currently facing the government of Ontario.

The relationship between this government and major developers in the province, whether it is Tridel and the DelZotto family or whether it is the Premier's family business and the involvement of another major developer, Marco Muzzo, in the purchase of that facility from the Premier—The whole development industry has to be addressed.

We have testimony on the DelZottos from a formal Royal Commission on Certain Sectors of the Building Industry. Judge Waisberg questioned the credibility of the testimony of the DelZottos in that commission. Elvio DelZotto is now the president of the Ontario wing of the Liberal Party of Canada.

At the same time, Marco Muzzo, in his testimony before that commission, when he was asked, "So you are not opposed to the general practice of bribery, you are only concerned about whether it worked or not?" said, "That's right."

These are the types of individuals who are dealing on a day-to-day basis with this Liberal government, right to the level of the Premier. They are the ones who have the influence. They are the ones who are crying to buy a billion-dollar contract for the disposal of waste in Ontario and control the development in the whole Metro Toronto area. We need to have a complete royal commission to address all the aspects of this situation, and I hope to God that happens in Ontario.

The Acting Speaker (Mr M. C. Ray): We will now proceed to the wrapup speeches by each of the parties, each speech limited to 20 minutes in duration, commencing with the government House leader.

Hon Mr Conway: I am pleased to join in this important debate. I might say at the outset that unlike the sponsor of this resolution, I have been in this House virtually all afternoon listening to the very interesting contributions of members from all sides. I want to return shortly to some of the observations made by the honourable doctor of laws, the member for Sault Ste Marie—

Mr Morin-Strom: Not doctor of laws.

Hon Mr Conway: —the honourable doctor of philosophy, the member for Sault Ste Marie, who has made some observations that I think ought to be taken up.

I want to say, as the member for Sarnia joins us at this point, now some two hours into this debate, that I view this as an important matter and I think it is being treated by all members as such. It is a debate about politics and about how this

honourable profession is carried on in this province.

I was thinking as I listened to some of the speakers earlier this afternoon of how these walls have resonated over the decades with this debate and how all those parties who have had the responsibility of office in this great province have had, each in its own time and each in its own way, a certain difficulty with this particular question.

I will not bore my friends with chapter and verse on that, except to say that it is important that we look at the resolution standing in the name of my friend the member for Sarnia and treat it in its component parts. In treating it in its component parts, I want to join my good friend and long-time colleague the member for Kitchener-Wilmot in rejecting the motion, not just in its totality but in its specific parts.

The member starts by saying that the government lacks the confidence of the House because this Premier has failed to establish and to enforce ethical standards for members of this House and for the public service.

I just want to say to my friend from Sarnia, who, I repeat, I am glad to have join us for the last hour of this debate, that that is simply not so.

It was under the leadership of this Premier, under the aegis of this government, that important conflict-of-interest legislation was brought forward and enacted. The member for Sarnia and the people who would be listening to and watching this debate through the televised services of our Hansard office would want me to repeat that. It was under the able and capable leadership of the Premier that conflict-of-interest legislation was brought forward and enacted in this province; done under a Liberal administration, not by any of the Tory predecessors who had some 42 uninterrupted years before our opportunity for office came some four years ago this week.

I think it is important for me to make that case to my friend opposite. I think the honourable doctor of philosophy who would want to rejoin this debate would want me to repeat that we are now all subject to that legislation. We have, of course, a conflict commissioner, a retired justice of the Ontario High Court who is an arbiter and enforcer in that connection.

I want to say to my friend the honourable doctor of philosophy, the member for Sault Ste Marie, that of course there is the matter of individual judgement. There is no possibility for a codification of judgement. Perhaps a socialist would imagine that to be possible; I do not.

I simply want to say to my friend opposite that this government, under the leadership of this Premier, has moved expeditiously and moved in areas where none of our predecessors chose to move, to codify standards for members of this Legislature, including members of the executive council, and they are now the law of the land. I think that is a very important aspect of this particular debate, which I know, Mr Speaker, you would want me to highlight.

Unlike the suggestion of the motion by the leader of the third party, the reality, the record, of the Liberal government headed by my colleague and seatmate the member for London Centre (Mr Peterson) speaks to action and leadership in this particular connection, and I think that is very important to reinforce here this afternoon.

Then the motion goes on to talk about questionable relationships. That is something I want to talk a bit about, because my friend and colleague, the honourable doctor of philosophy, the member for Sault Ste Marie, had some very interesting things to say in the latter part of his remarks. I find those remarks, particularly from someone so intellectually acute, so evidently well educated, really difficult to accept. There was in the honourable member's speech a suggestion of, a vague and sometimes not so vague reference to, questionable relationships.

I want to say to my friend the member for Sault Ste Marie and to anyone else over there that if they have accusations to make, let them be honourable men and women and stand in their places and make their point directly. The honourable doctor of philosophy, the member for Sault Ste Marie, was carrying on in a way that seems to ignore the fact that we have in this province and we have had for some 14 years legislation that governs the raising of funds and the spending of funds for electoral purposes. If the honourable member for Sault Ste Marie thinks that legislation is somehow inadequate, if he thinks it ought to be reformed in some connection, if he thinks corporate contributions ought not to be made, let him stand in his place and specifically indicate that those are reforms he wants to enact.

1700

He sits in the special visitors' gallery now with a very good friend of mine, one of the most illustrious members I have known to have served in this chamber, for some 12 years, the honourable and former member for Bellwoods, who now serves in his very important capacity as legislative adviser to the Ontario Federation of Labour. He does, I know from personal experi-

ence, very good work in that important connection.

I want to say, in the presence of my good friend, the former member for Bellwoods, that I find that relationship a perfectly honourable and healthy one that I encourage in our politics and in our democracy in Ontario today. But in saying that, I say to my friend and colleague the honourable member for Sault Ste Marie that I expect he will behave with similar honour and with similar understanding for other relationships we know about and that are approved of by both practice and, more important, by law in this province.

If the law is to be changed, I say to my friends, let them stand in their places and advocate specific change. My friend the Leader of the Opposition (Mr B. Rae), who is going to join in this debate, is undoubtedly going to proffer advice on change in terms of public policy.

We had an interesting discussion in here this afternoon about the kinds of relationships that ought or ought not to be encouraged with respect to land development and government. It is quite understandable that the leader of the New Democratic Party in Ontario would imply as he did today—and as I think he will be saying later today—that he is not happy with the relationships that exist today between the private development community and governments at all levels, particularly, if I understand him, at the municipal and provincial level.

That is a perfectly good argument for the honourable member to advance, and he will do so, I am sure, repeatedly. I would simply say to him what was suggested earlier today; that is, of course, that he will have an opportunity. He will continue to have opportunities to suggest how our public policy might be altered in that connection.

I would, in that debate, want to remind him that the Blakeney government in Saskatchewan, a socialist government, was thrown out of office in 1982 because people in that province were so sick and tired of the land development and crown corporation policy that was thought by the bulk of those people, in that wonderful land of Tommy Douglas, to be too intrusive, too interventionist and too oppressive. That was the record in another province with a very different kind of government: led, I want to tell the members, by the New Democratic Party.

I think there is a lot to debate in that connection, but I want an honest debate. I want a debate up front about facts and about positions. I want it out from behind the curtains. I want my

friends out from the shadows and out where I can see them and where I can have their case put squarely. I find very difficult some of what has been suggested, particularly some of what was being suggested or implied by my friend from Sault Ste Marie. If he wants to change the election expenses legislation, let him say so in very specific terms and let us debate that issue in very specific terms.

I want to go on to other aspects of this particular debate. I have to say that the honourable member for Sarnia has a motion that suggests we—

The Acting Speaker: Order, please.

Mr Morin-Strom: On a point of privilege, Mr Speaker: I believe the member has impugned my motives in terms of not being open and forthright with the government. I thought I laid out quite clearly what my position was and the facts of the case.

Hon Mr Conway: Let me say that if the honourable member feels I have impugned his motives, I certainly withdraw anything that leaves him with that impression. I hope I have made my concern about some of his observations as clear as I possibly can.

But I want to return to the sponsor of this motion, who worries about allegations. I want to say to my friend from Sarnia, who served at both municipal and provincial levels, that he knows perfectly well that we must concern ourselves not with allegations but with evidence, with facts. That is why I am very proud that last Friday, within hours of the admission by the gentleman in question—

Mr Brandt: Here is one of the facts. Here comes one now.

Hon Mr Conway: I want to say to my friend opposite that the Premier stood in his place last week and said he was very concerned about an admission from a staff person in his office and that he wanted to get to the bottom of this. Let me quote what the Premier said last Friday in this connection. I quote my colleague, the leader of the government:

“The recent allegations are deeply disturbing and profoundly worrisome. I am very troubled by this situation and I think that it is essential that there be an immediate and independent public inquiry to get to the bottom of it.

“I am determined that in the carrying out of this inquiry, that no stone be left unturned, that every lead be followed up on, that every allegation be thoroughly and exhaustively inves-

tigated until all of the facts have been laid bare before us.”

I conclude this part of my remarks by quoting the last part of the Premier's statement on Friday:

“I give you my personal assurance that those whose performance has been found wanting will be discovered, those who have erred will be punished, and those who have broken the law will be prosecuted.”

I want to say that I am very proud of my colleague the leader of the government for that commitment and for that speedy and very appropriate action, because I think that is the right and proper course of action to follow: a thorough public inquiry headed by a judge so that we can get to the bottom of this in a fair and complete and impartial way. Surely that is what the people of Sarnia and elsewhere in Ontario expect will be done.

This Premier is a man of his word, and I have every confidence that that which he has committed to will be done, and it will be done in a very appropriate and thoroughly impartial fashion. There are those who would surely argue that it is much more likely that the facts are going to be found and judgements appropriately made in a judicial inquiry much more quickly and much more likely than they will ever be made in this cockpit of party politics, a cockpit I enjoy as much as anyone else.

I understand what my friends opposite have to do in their important and very critical role as Her Majesty's loyal opposition. I must say I find it sometimes hard to be lectured, particularly by the third party, on matters of electoral financing. I will not engage in some of the recent history, because I do not think that would be helpful at this particular time, but I want to tell my friend from Sarnia that the temptation to recite a little bit of history which is on record at the Commission on Election Finances about contributions made to the Conservative Party in the 1985 campaign is almost irresistible.

But I shall resist. I will tell you why I will resist, Mr Speaker, because I know I have a bit of a reputation for some of these kinds of debates. I do not want to diminish my liking for some aspects of it, but I want to return to the main point.

I view this as very, very important. I got into politics to do important things for the people of Renfrew county and hopefully for the people of Ontario. I have, like the member for Kitchener-Wilmot, been here for 14 years and I can say without fear of contradiction that the overwhelming majority of people I have worked with here

are diligent, dedicated, honourable people. I have every confidence that this has been the context and that has been the environment for all of the years prior to my arrival here in the mid-1970s. But there are very serious issues at stake that must be dealt with, I think very appropriately, by the mechanism the Premier has triggered by virtue of calling the independent judicial inquiry.

Let me say without any fear of contradiction that for me public office is a matter of public trust, and if that public trust has been betrayed, then those who have betrayed it must pay the price and I will, like the Premier, see to it that no stone is left unturned to ensure that happens.

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But I start from the premise that you are innocent until you are proven guilty, and that if there are to be courts of adjudication, they are going to be fair and impartial courts. That is why I very much favour what the Premier has done in this connection.

I just want to say that I am very proud, like my colleagues the member for York North (Mr Beer) and the member for Kitchener-Wilmot who spoke earlier, of the accomplishments of this government, because I believe that in the best traditions of Wilfrid Laurier, we are Liberals who have gone forward dedicated to reform very important aspects of the public agenda in this province.

I am always reminded of that great clarion call Laurier offered over a century ago, that he was one of those who believed that everywhere and always there were abuses to be routed out, new forces to be developed and new horizons to be explored. That is what I got into politics to do. Yes, I have been disappointed that over the last number of days and weeks, so few people over there have wanted to talk about the very creative and courageous things that the member for Kitchener-Wilmot has done in so far as the Social Assistance Review Committee proposals are concerned. I have been absolutely breathless that so few people in the opposition have bothered to quiz the Treasurer (Mr R. F. Nixon) on, I think, one of the most creative budgets I have seen in 14 years.

I say to my friends opposite that I am in politics to do important things, to help the people of my county and my province, to work with honourable members of integrity on all sides. To the extent there is evidence that honour has not been the hallmark of certain activities, we will, as we have done in this connection, set in train a process that will get to the facts, and we will then

on the basis of those facts and the impartiality of a process, make the necessary judgements. That is why I reject without any difficulty the motion standing in the name of my friend the member for Sarnia.

Mr B. Rae: I am of course surprised to hear that the government House leader will be voting against this motion. I, until the very last moment, held out hope that he would be voting in favour of it.

I want to respond not to his speech simply, but to the motion that is before us and to make some points. I hope the government House leader will regard them as sufficiently factual for his increasingly factual taste. I want, first of all, to start by saying that I was intrigued by his initial defence of his own government and his colleague, the Premier, for as he put it having brought in the standards legislation that he said was so stringent and so clear in terms of its standard of conduct.

I want to say for the record and I want to remind the government House leader, because I think four years of power have obviously blurred and clouded his mind and his memory as—I am told, never having participated in the government—frequently happens, that the very first act of the member for London Centre four years ago, upon assuming government, was to weaken and to water down the guidelines that had been established by William G. Davis when he was the Tory Premier of Ontario.

The member is shaking his head, but I can tell him that I will take him chapter and verse one day in the time allotted to me. I do not have the time to do it, but I would simply say to him that when he examines the question of the rights of members of the executive council to belong in the executive council and to retain controlling interest in businesses that do business with the government of Ontario, there is a profound difference between the philosophical and practical approach taken by the Liberal government established in 1985, and previous governments because of the scandals that took place in the 1970s, I might point out. So I would say to the government House leader that the first argument he made is built purely and simply on sand.

The second point he made, in responding to other speeches that have been made, was to say that no complete codification is possible and that no set of laws will guarantee the purity of conduct, either of members of this place or of people who are doing business with the government. Let me say to everyone here that I agree entirely with that approach.

Of course, no codification of law is possible that will guarantee a purity of conduct on anybody's part. We all understand that. We all understand the very basic premise that is being put. But that is precisely why we believe so profoundly that it is the Premier who has to exercise judgement, that it is the Premier who has to tell us clearly and categorically what his standards are, that it is the Premier who has to say, "Well, it is not exactly contained in this codification and these laws that are here, but my gut reaction is that there is something wrong with that."

All of us have to make those judgements. We all have to make those judgements, but it is the Premier of the province who has to make the judgement with regard to the people who are members of the executive council. We all have to make—

Mr Miller: Everybody is elected. Everybody is elected on his own merits. You were elected. I was elected. Elected on principle. I am my own boss.

The Acting Speaker: Order.

Mr B. Rae: The member for Norfolk is quite right when he says that each member has to look into his own heart in terms of his own conduct. I am sure, in our moments, we all look into our own hearts, and from time to time we find our own standards wanting.

But I say to the member I can understand his frustration not being a member of the executive council. I can understand the frustration of the member, having been in the House so long in opposition, watching his own government behaving in the way it has been behaving. I can understand the frustration with which he has been seized.

Mr Miller: I am proud of my government. I am proud of them.

Mr B. Rae: The member says he is proud. If he is proud of this, then he has rocks in head, that is all I can say.

Let us look at the other fine point that has been made.

Interjections.

The Acting Speaker: The member for Norfolk, please. We are on a limited time speech. The House had the courtesy to listen to the government House leader. It is now the Leader of the Opposition who is given the floor.

Mr B. Rae: I am more than happy to participate in the by-play of debate. It is something that I enjoy and do not mind at all. I would say—

Mr Ballinger: Tell Andy that.

Mr B. Rae: The member has just come back from stocking another lake. I appreciate his comments. In my latest copy of Bass magazine, I saw a picture of the member stocking a lake and I wish he would just go off and do it more often, that is all, and not spend so much time here.

The other piety, and there are many pieties around here, that the government House leader delivered himself of in his speech today was that everyone was innocent until proven guilty. That is true. That is absolutely true.

Mr Mahoney: Oh, good.

Mr B. Rae: I hear the member for Mississauga West with some relief saying that he is glad that is true. That applies to everybody; I want to make that very clear. But surely that applies to the DelZottos as well. Surely it applies to Gordon Ashworth. Surely, if you are going to have a standard, it has to apply to everybody.

But what has the response been by this government to this crisis? If you are a member of the executive council, the response of the government has been, "You're okay." Why is that? I do not know the answer to that. The government House leader is looking at me quizzically. I can only assume that is the position of the Premier, because if you consider the conduct of the Minister of Culture and Communications, which we have considered here in this House for some several weeks, the consistent response from this government has been: "We're not making up our minds on that issue. There does not appear to be any problem."

The facts have been admitted, that the Minister of Culture and Communications had a conversation with Mrs Starr. Mrs Starr said she had some work she wanted to have done and did the minister know anybody who could do it. She says, "I know lots of people who can do it, including my mom," and she gave her mother's phone number to Mrs Starr.

We also know, because the facts have been made public thanks to the work of the law firm of Goodman and Goodman who have done the initial audit of the particular account in question, that a cheque went payable to the minister's mother in October 1987. Those are facts. Those are undenied.

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We also have an allegation that there was a survey. All I can say is, if there was a survey, where is it? If there was a survey, why has it not been found? If there was a survey, why is it not available? For two years now, there has allegedly

been a survey that was done, a paper that was allegedly there. Where is the copy of the survey? Why was the minister not coming into this House the day after the allegation was made with respect to the survey, waving it in her hand and saying: "Here is the survey. Here is an accounting of the work that was done. Here is the reason why the charge made against me is unfounded"?

Each and every member should think in his own heart about the nature of that allegation and of what he would be doing when he got back to his office. If there really were such a survey, this alleged survey, do members not think it would have been produced by now? Does anybody in this House not believe that survey would have been produced by the minister the day after, saying: "Here it is. Let's stop all this nonsense about something being done or being floated up or being more than it was supposed to be. Here is the work. It was done. This is precisely how it happened."

I said in this House, when the minister spoke to me, that what she said stretched credibility, and I say it again because to me it has to be said. What is this nonsense going on here? Why is it so difficult for the Premier to say to his minister: "Look, if you say there was a survey, I want to see that survey tomorrow morning. If there is not a survey, I want to know what that cheque was for. If you don't know what that cheque was for, you had better find out what that cheque was for. I want an explanation for me and for my colleagues as to what that cheque was for." That is not difficult. That is not hard for a Premier to do.

All it requires is for a Premier to say: "I am sorry. I have some standards around here. I am not going to have \$5,000 cheques floating around to members of a minister's family when I don't know for sure exactly what that was for and I don't have the proof in my hand as to what that was for."

This nonsense about this thing has gone on for three and a half weeks and the very best the Premier can do is to say, "Well, it's off to Judge Evans." All I can say is, good luck to Judge Evans. He has to wait for the Ontario Provincial Police inquiry. He has a short, two paragraph letter from the minister that says absolutely nothing about the contents of what actually took place. It gives him no further information and she says, "I am happy to co-operate in terms of what goes on." This is arrant nonsense on the part of this government and this government knows it. Its members must know it. I say with the greatest of respect to members that this whole business

could have been much more effectively and fairly handled if those standards had been enforced far earlier.

The government House leader had some very unkind things to say about a speech that was given by a colleague of mine. He says we should either put up or shut up. I will put up, and I will tell him precisely what I think is wrong. Many of the contributions that have come forward are not illegal. I do not believe that half the Liberal cabinet is made up of people who are dishonest or people who have committed criminal acts. I do not go around with that feeling in my heart about any of my colleagues.

What I do think, however, is simply this: When this party took office, there was an avalanche of money and an avalanche of people who had previously had a special relationship with the Conservative Party, which had been in power for 42 years, and who en masse said, "Who are these people and how can we get to know them?"

The only way in which the wheels of politics could be greased or seen to be greased legally—let me make it perfectly clear, perfectly legally—was for every one of those ministers over there to ask himself the question: "How do we raise money? Is it all right if the Minister of Health raises money from the nursing home industry? Is it okay if the Minister of Consumer and Commercial Relations raises a ton of money from the insurance industry?" The answer from this government was, "Yes, it is okay, provided it is done in a legal fashion."

Mrs E. J. Smith: Is it okay to accept money from the unions?

Mr B. Rae: The former Solicitor General asks if it is okay to accept money from the trade unions. Let me say to the member that if she has a proposal to make with respect to the future of election financing in this province, I would be happy to discuss it. If her government was seriously interested in discussing election reform or if we had ever had an approach from the Premier of this province in that regard, then we would be happy to discuss it.

But what I am saying is that it is the Liberal Party itself that has the twin faces of Liberalism. I was not able to be in the House. I had an appointment in my office, but I did listen to much of the comments of the Minister of Community and Social Services. He spoke about the progressive agenda. He was obviously disturbed, as any intelligent person would be, at how badly any agenda, progressive, reactionary or whatever the

hell agenda it is, has just been blown out of the water by this whole nonsense.

I say to the minister to look to his own ranks, to what has happened, to the twin faces of Liberalism; to the one face that said, "Yes, we want to get on with the process of reform," and to the other face that said, "We are going to dole out patronage, carry on in terms of our relationship with the business community, turn a blind eye when certain things are done and then say, 'How could this have happened?'"

I will tell members how it happened. It was all very predictable. We know now, as we had heard on the street then, that a fund-raiser for the Minister of Housing took place in the offices of Tridel, when Mario Giampreti, who is the vice-president of Tridel, said publicly that he did not know the Minister of Housing, "But in a year's time, let me tell you, Alvin Curling will be my best friend."

They should wake up over there. That is what happened. The government either was not awake or it knew what was happening. Either way, they should look around and ask themselves the question. They are the authors of their own misfortune, and no one is more the author of his own misfortune than the Premier of this province.

I say this on this fourth anniversary of the formation of this government as someone who, perhaps one would be permitted to say, had more than a little to do with the transformation of politics that took place in 1985. If anybody ever betrayed the promise that was contained in that accord in 1985 and the spirit of reform that formed that government in 1985, it is the Premier of Ontario, the member for London Centre. That is exactly what we have seen.

I want to say this: We have now not just one inquiry; we have five. We have the work of the public trustee, the work of Judge Evans, the Commission on Elections Finances, the police, and finally the work of a judge yet to be named for an inquiry whose terms of reference have yet to be determined.

Mr Pouliot: And the Provincial Auditor.

Mr B. Rae: I had forgotten the Provincial Auditor; that is quite right. There are six; half a dozen.

The Premier was asked today by a reporter about patronage in his government and whether the appointments that were made were made on merit. He said, I am told by the reporter who told me she had this on tape, "Patti Starr was a merit appointment." Give me a break. Give everybody a break. If the government cannot recognize the

origins of its problems and how those problems occurred, then it is a sad day.

What I want to say about these inquiries is this:

Nous avons maintenant six enquêtes qui ont été mises sur pied par le gouvernement, mais il reste toujours la question, et c'est une question fondamentale, de la motion de censure à l'égard du gouvernement.

Nous ignorons encore jusqu'ici quelles sont les directives que le Premier ministre (M. Peterson) a lui-même imposées aux membres du Conseil des ministres.

Le problème auquel fait face le gouvernement, ce n'est pas M^{me} Starr; ce n'est pas M. DelZotto; ce n'est pas un entrepreneur de construction ou un scandale quelconque.

Le problème auquel fait face le gouvernement, c'est un manque de direction morale claire et précise, un manque de responsabilité politique de la part du Premier ministre lui-même. C'est ça, le problème du gouvernement.

Ce n'est pas l'affaire Patti Starr; c'est l'affaire Peterson.

This is not the Patti Starr affair. This is not the DelZotto affair. This is the Peterson affair. This is an affair that the Premier himself has to take responsibility for. This is an affair in which the Premier himself has to take command of himself. He cannot hide his standards behind those of Judge Evans. He cannot hide behind any criminal investigation. He must take responsibility himself for the conduct of his government and of his ministers.

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I want to close by responding to one point which was made, and it is made by many people. There are those who say, "Haven't you got anything better to do than to deal every day with this question of scandal?" I think all of us recognize that it is a good question. There are many of us in this party—and I do not say this out of any mock sincerity, I hope members understand that—who on many other days have, with a little less media success, I might point out, raised a number of questions on a number of policy issues.

But what I want to say is this: The question of the integrity of the democratic process and the integrity of the electoral process is the first question in politics; it is the first question in government; it is at the foundation of everything else a government does. If a government cannot pass that test, it cannot pass any other test. If a government cannot meet that standard, it cannot meet any other standard. If the government

cannot get past that roadblock, it cannot go any farther down any other road.

The responsibility for what has happened lies clearly and categorically with the standards that were not set by the Premier. It lies clearly and categorically in the actions not taken by the Premier. It lies clearly and categorically in the conflicts which have not yet been cleared up by the Premier. They have to be cleared up by the first minister. He is the only one who can do it, and he is the one who is responsible for the future of this government and indeed for the future of politics in this province over the next few months.

Mr Speaker, I say to you and I say to the House, I have no apologies at all to make to anyone for any question I have raised or for things I have said in this House. I have said them with sincerity and I have said them as far as possible on the basis of fact. If I have erred in fact, I have attempted to clear up the record as soon as that was possible.

This is not a tea party. The issues that are involved here are high; the stakes that are involved here are high. The reputations of all of us are at stake. That is why we are entitled to expect the highest possible standard from the first minister of this government and why we on this side of the House have found that standard wanting. We will be voting nonconfidence in the Liberal government of Ontario.

The Acting Speaker: The final speech to conclude this debate by the member in whose name the motion stands, the leader of the third party and member for Sarnia.

Mr Brandt: I rise to make my comments with respect to the tabling of the nonconfidence motion which I have placed before this Legislature. I do so with some degree of regret that this was necessary, but I feel that these issues do have to be fully debated and, hopefully, in some way at least better understood by all of us who are in our places in this particular assembly.

I listened with some interest to the comments of the government spokesmen, more particularly the member for Renfrew North, when he made comment at the outset of his remarks in connection with the absence of myself and the fact that, having placed the motion of nonconfidence, I was not in attendance.

I would like to assure the member for Renfrew North that I was following this debate with interest in my office while I had other responsibilities. I want to say that I have been here for approximately the last hour and I want to say that that is completely unlike his leader, who has not

been here at all at any time during the course of this debate and is still absent from this House. I want him to know that there is in fact a difference and I am in attendance.

With respect, I say to the members of the assembly that I think this is a motion that should be of some concern to the Premier of this province and a motion that should be of some concern to all of the members of this House.

Since I am limited in the amount of time I can share my views with the assembly this afternoon, I am not going to spend a great deal of time rehashing the entire tortured path of intrigue and deceit that has been unfolding in this Legislature through the past month, not because it is not noteworthy in its own right or because the activities of Mrs Starr and her close relationship to this government do not have to be fully explored and detailed and corrective action taken where warranted, but because of the time limitations we are faced with this afternoon.

I will not try to pull together all the tentacles of the Patti Starr affair for one very simple reason, and that is because Patti Starr is not the only problem but is a symptom of the problem we are facing and are trying to deal with in the context of this motion. She is not the cancer that is afflicting this government; she is merely the visible sign of decay.

As much as we may all think that the focus on leaders of any political party began with the advent of television, that simply is not the case. A leader of a political party, especially one that is in power, sets the tone of the government by his or her presence, by the ethical and moral standards a leader brings to that office. One can judge the standards, the beliefs, the ethics and the moral tone that party adheres to as it exercises its responsibilities and duties.

To use an example, John Robarts, the former Premier of this province, who hailed from the same home town as the current Premier, simply by being in his seat and staring at a member on any side of the House, of this assembly, who was acting in a manner inconsistent with the traditions of this Legislature, could make that individual recall the tone and the decorum that was expected of that member on these premises.

Hon R. F. Nixon: I guess you weren't there at the time. He could stare at two of them at the same time.

Mr Brandt: We have a different type of Premier in Ontario now. We have a Premier who came into power promising a government with no walls, no barriers. We have a Premier who came in promising everything to everyone, and I

might add to the Treasurer, who has now involved himself in this debate with his asides, a Premier who promised that all these things would happen at very nominal cost.

We have a Premier who came in promising to change the way that government was run in Ontario. Unfortunately for all Ontarians, the only promise the Premier kept was the latter. He did in fact change the way government is run in our province. It is now run on the basis of who you know and how much you have contributed.

[Applause]

Mr Brandt: Applaud if you will. It is run on the basis that everything goes until you are caught.

Interjections.

The Speaker: Order.

Mr Brandt: From 1985, this Premier set a new tone for the government. Whereas before, strict rules were in place to prevent conflicts of interest from occurring, this Premier changed those rules to allow conflicts to exist, not by way of strengthening the rules as they relate to conflict of interest, I might add, but by making it possible for certain relationships, for certain ownerships, to continue and to occur without being a conflict as long as it was identified in your conflict-of-interest report.

That in itself is not adequate, in my view, for the member for Renfrew North to be able to stand in his place and to speak with such righteous indignation about what the opposition are saying and to indicate to this House that his government has in fact strengthened the conflict rules. The conflict rules have never been weaker in this province than they are now, and that is the reality.

Since 1985, as questions in this House have revealed today, the government has actively, persistently, in the face of opposition questioning, solicited funds from the very sectors of society that they were elected to serve. Listen carefully. If you were a lawyer, you got your solicitation to meet with the Attorney General. If you were a businessman, then you received your letter from the Minister of Industry, Trade and Technology. If you were a tourist operator, it was the Minister of Tourism and Recreation. If you were a health care professional—a hospital administrator, for example, as we heard from today—then your solicitation came from the Minister of Health.

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Such was the case until May of this year. Until May of this year, as I pointed out in the question I

raised with the Premier today, that kind of conduct and that kind of solicitation was deemed to be okay. The philosophy of “everything goes until you get caught” was working perfectly. Then a few ministers got caught. Along came Ms Starr, who played this fund-raising game with a vengeance, and of course we all know what the results of that particular activity have been.

Just yesterday, for the first time, the Premier saw that something was wrong with what he had been endorsing in so far as fund-raising activities over the course of the past four years were concerned. He found out that something was wrong with it, quite frankly, because it showed up on the front page of the newspaper.

What was the Premier’s solution? “Change the law. Yes, that’s the problem, so let’s change the law to prevent this type of thing from happening under the government of David Peterson.” It is not the law that needs to be changed. It is the attitude towards the law where you have people looking for loopholes to get around the very laws the government has put in place. That is what is wrong.

I say with all due respect that the problem in terms of strengthening the legislation, of making it more elaborate and making it more comprehensive, is that we will still find individuals under the present attitude who will attempt to get around that law in some fashion, unless they live up to the spirit of the law. There is a very clear distinction on how that is to be done.

In the case of Patti Starr, what we have found out is that she was playing the game the way the boys played it, according to her own words; a very tough game that simply implied that you did what you had to do under the circumstances in order to get the maximum return.

In reality, she was playing the game the way she had learned it was played under the rules of this government. As an opposition politician, I have had a great number of people coming up to me saying, “Boy, you guys in opposition must really be enjoying this.” By that, they are referring to the discomfort of the current government over the Starr affair.

I say sincerely to all of my colleagues on all sides of the House that I think I speak for all politicians of good faith who have served in this chamber and who are presently serving in this chamber when I say that any enjoyment or taking of pleasure or seeing a measure of revenge is not present in this debate.

Mr Fleet: Yeah, sure.

Mr Brandt: I am sorry if you do not enjoy hearing the facts and if you do not enjoy hearing the truth.

Mr Fleet: What you call the facts are only allegations.

Mr Brandt: You want facts? A refrigerator, a painting of a house, illegal campaign contributions made by a charitable fund. How about those?

Mr Furlong: How about the shredder? You made the allegation.

Mr Brandt: Can you prove the shredding never took place? How about the phone calls—

Interjections.

The Speaker: Order. Would the member for High Park-Swansea (Mr Fleet) desist—thank you. Would the member continue and address his remarks through the chair, please?

Mr Brandt: By allowing these kinds of activities to continue to take place on the part of Ms Starr and to have those activities go unchallenged is to bring our entire profession, our entire commitment to the public good, into disrepute.

What the Premier has done by allowing cabinet ministers and parliamentary assistants who have admitted openly to accepting benefits for themselves or for friends or relatives, arranged for by Ms Starr, to remain in office is to besmirch the reputation of each and every member of this chamber. It is a syndrome that concerns me because it results in a conclusion, if you will, on the part of the public that they are all the same, that those politicians are no different, of whatever political party.

Well, they are not all the same, and what the Premier has allowed is to clearly state by example that there are two standards of conduct in this province and under this government, and two standards of conduct that he in fact condones. One is for those in government and one is for those unfortunate enough to be seen to be somehow an embarrassment to the government.

That would be the case of the DelZotto family, where if you are outside of government and you become an embarrassment, you are asked to step aside; an ally one day and you are asked to step aside and resign the next.

If you are a cabinet minister and you recommend your mother for a contract, that is deemed to be okay. If you promote a paid position on behalf of your campaign manager, that is okay; and if you have the rent on your campaign headquarters paid for by a charity and do not report it, that is okay.

It was once said that if public life is the noblest of callings, it is also the vilest of all trades. I

never shared that view. I fought it from the very first day that I was elected to office some 18 years ago, yet I know so many of the people we represent hold precisely that opinion of our work and of us. They hold that opinion precisely because of those types of politics and it concerns me.

There are harsh words that are spoken in this assembly during the course of the difficult give and take of question period and during the course of a difficult period as we are going through with the question of this particular debate and the nonconfidence motion. But I say to my colleagues in this House, again from all parties, that it is so vitally important that we take a look at the system and make sure that it is delivering in a cleansed fashion the kind of results that they and I, as elected representatives, can live with and can look in the mirror and not feel ashamed about. That is vitally important.

I am not so concerned about an honest mistake. I am not so concerned about a matter of a minor indiscretion, if you will, in terms of financial dealings between contributors and recipients. Those things can happen.

But what we are looking at here, in my view, is too much of a concentrated, organized effort that causes me some real concern. If it does not cause the members of the government any concern, then I say to them that they will have to answer to the people of Ontario for that, but I say to them that the kinds of activities that are going to be explored, hopefully in detail under the inquiry that the Premier on Friday agreed to establish, should hopefully also result in a system that will be strengthened. It will focus on those who have committed some improprieties or have in fact turned their back on the rules and the ethics and the morals that we believe to be of value to us in this House, but it should explore very carefully and perhaps make recommendations with respect to how we might better the system.

There are some problems with the current system. There are some problems with respect to what went on in connection with Ms Starr. I fully understand and can appreciate—and I look directly at some of my colleagues who I know got caught in this trap, who through a numbered company or through some other unknown identity were provided with funds through Ms Starr's efforts and are now embarrassed by that. Many of them have returned those funds and I congratulate them for doing that.

I have not raised one time in this House the name of a member who was caught in that particular kind of what I consider a trap that was

not of their making, because those things can happen, but what I am talking about is a concentrated effort on the part of an individual, who apparently was never questioned about her activities, which is calling now into question the very method, the very means by which campaigns are financed and which will undoubtedly result in some changes in the future that will hopefully stop this kind of mess from happening again.

1750

I say very sincerely that I hope the public inquiry will be broad and sufficiently general enough to take a look at all aspects of the concerns that we have raised in this House. I would hope that the Attorney General, when I have an opportunity to speak with him tomorrow on this particular matter, will be co-operative in terms of trying to establish some kind of a compromise in a spirit of co-operation with members of the opposition to arrive at a method by which the structure of the inquiry can be established in order to best serve the purposes that I believe in the heart of hearts of all members they really want to see happen. We have to restore confidence in the system, we have to cleanse the system if there are blemishes in it, if there are problems with it.

Let me be perfectly frank in connection with the Patricia Starr affair. I say, with some degree of sadness, all of the story is not out yet. There is more to come. There are more problems that this government is going to have to respond to in connection with the Starr affair that is going to carry on presumably for some time, simply as a result of the very active career that this individual, in concert with others, apparently has had over the past while.

It is not an easy period for the government. I have to say, although many of the members respond by way of chuckles and laughter when we say this, it is not a particularly easy period for those of us in opposition, either. You may think that this kind of daily attack is something that we look forward to with great glee; it is not the truth. The fact of the matter is that I would be much happier, I would be much more pleased if we could deal with the substantive issues of the day. I would like to talk about the Treasurer's budget, I would like to talk about substantive education issues and matters of importance in that regard. I would like to talk about the environment and health matters that deal with those issues.

But we have to dispose of this inquiry, the Ontario Provincial Police investigation, conflicts of interest and other matters that have come before this House that are not of the making of the members of the opposition. We did not precipitate these particular problems. They were started by others. We will, however, attempt in whatever way possible to deal with these matters in a responsible way, so that we can get on with the business of the House and at the same time establish hopefully a system of contributions through the decisions that will be made in the days ahead, that will be more acceptable to all members and all parties of this House.

The Speaker: Under standing order 70, that completes the allotted time for the debate on Mr Brandt's motion of nonconfidence.

1759

The House divided on Mr Brandt's motion, which was negated on the following vote:

Ayes

Brandt, Breaugh, Charlton, Cooke, D. S., Cousens, Cunningham, Cureatz, Hampton, Harris, Jackson, Johnson, J. M., Johnston, R. F., Marland, Martel, McLean, Morin-Strom, Philip, E., Pope, Rae, B., Reville, Runciman, Villeneuve, Wildman, Wiseman.

Nays

Adams, Ballinger, Beer, Black, Bossy, Bradley, Brown, Callahan, Campbell, Caplan, Carrothers, Chiarelli, Cleary, Collins, Conway, Cordiano, Curling, Daigeler, Dietsch, Eakins, Elliot, Elston, Epp, Faubert, Fawcett, Ferraro, Fleet, Fontaine, Fulton, Furlong, Grandmaître, Haggerty, Hart, Henderson, Hošek, Kanter, Kerrio, Keyes, Kwinter, LeBourdais, Lipsett, Lupusella;

MacDonald, Mahoney, Mancini, Matrondola, McClelland, McGuigan, McGuinty, Miclash, Miller, Morin, Neumann, Nicholas, Nixon, J. B., Nixon, R. F., Oddie Munro, Offer, O'Neil, H., O'Neill, Y., Owen, Patten, Pelissero, Peterson, Phillips, G., Polsinelli, Poole, Ramsay, Ray, M. C., Reycraft, Riddell, Roberts, Smith, D. W., Smith, E. J., Sola, Sorbara, South, Stoner, Sullivan, Sweeney, Tatham, Velshi, Ward, Wilson, Wong, Wrye.

Ayes 24; nays 86.

The House adjourned at 1803.

ALPHABETICAL LIST OF MEMBERS*

(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

- Adams, Peter (Peterborough L)
 Allen, Richard (Hamilton West NDP)
 Ballinger, William G. (Durham-York L)
 Beer, Charles (York North L)
 Black, Kenneth H. (Muskoka-Georgian Bay L)
 Bossy, Maurice L. (Chatham-Kent L)
Bradley, Hon James J., Minister of the Environment (St Catharines L)
 Brandt, Andrew S. (Sarnia PC)
 Breaugh, Michael J. (Oshawa NDP)
 Brown, Michael A. (Algoma-Manitoulin L)
 Bryden, Marion (Beaches-Woodbine NDP)
 Callahan, Robert V. (Brampton South L)
 Campbell, Sterling (Sudbury L)
Caplan, Hon Elinor, Minister of Health (Oriole L)
 Carrothers, Douglas A. (Oakville South L)
 Charlton, Brian A. (Hamilton Mountain NDP)
 Chiarelli, Robert (Ottawa West L)
 Cleary, John C. (Cornwall L)
 Collins, Shirley (Wentworth East L)
Conway, Hon Sean G., Minister of Mines (Renfrew North L)
 Cooke, David R. (Kitchener L)
 Cooke, David S. (Windsor-Riverside NDP)
 Cordiano, Joseph (Lawrence L)
 Cousens, W. Donald (Markham PC)
 Cunningham, Dianne E. (London North PC)
 Cureatz, Sam L. (Durham East PC)
Curling, Hon Alvin, Minister of Skills Development (Scarborough North L)
 Daigeler, Hans (Nepean L)
 Dietsch, Michael M. (St Catharines-Brock L)
Eakins, Hon John F., Minister of Municipal Affairs (Victoria-Haliburton L)
Edighoffer, Hon Hugh A., Speaker (Perth L)
 Elliot, R. Walter (Halton North L)
Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)
 Epp, Herbert A. (Waterloo North L)
 Eves, Ernie L. (Parry Sound PC)
 Farnan, Michael (Cambridge NDP)
 Faubert, Frank (Scarborough-Ellesmere L)
 Fawcett, Joan M. (Northumberland L)
 Ferraro, Rick E. (Guelph L)
 Fleet, David (High Park-Swansea L)
Fontaine, Hon René, Minister of Northern Development (Cochrane North L)
Fulton, Hon Ed, Minister of Transportation (Scarborough East L)
 Furlong, Allan W. (Durham Centre L)
Grandmaître, Hon Bernard C., Minister of Revenue (Ottawa East L)
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)
 Haggerty, Ray (Niagara South L)
 Hampton, Howard (Rainy River NDP)
 Harris, Michael D. (Nipissing PC)
 Hart, Christine E. (York East L)
 Henderson, D. James (Etobicoke-Humber L)
Hošek, Hon Chaviva, Minister of Housing (Oakwood L)
 Jackson, Cameron (Burlington South PC)
 Johnson, Jack (Wellington PC)
 Johnston, Richard F. (Scarborough West NDP)
 Kanter, Ron (St Andrew-St Patrick L)
Kerrio, Hon Vincent G., Minister of Natural Resources (Niagara Falls L)
 Keyes, Kenneth A. (Kingston and The Islands L)
 Kormos, Peter (Welland-Thorold NDP)
 Kozyra, Taras B. (Port Arthur L)
Kwinter, Hon Monte, Minister of Industry, Trade and Technology (Wilson Heights L)
 Laughren, Floyd (Nickel Belt NDP)
 LeBourdais, Linda (Etobicoke West L)
 Leone, Laureano (Downsview L)
 Lipsett, Ron (Grey L)
 Lupusella, Tony (Dovercourt L)
 MacDonald, Keith (Prince Edward-Lennox L)
 Mackenzie, Bob (Hamilton East NDP)
 Mahoney, Steven W. (Mississauga West L)
Mancini, Hon Remo, Minister without Portfolio (Essex South L)
 Marland, Margaret (Mississauga South PC)
 Martel, Shelley (Sudbury East NDP)
 Matrondola, Gino (Willowdale L)
 McCague, George R. (Simcoe West PC)
 McClelland, Carman (Brampton North L)
 McGuigan, James F. (Essex-Kent L)
 McGuinty, Dalton J. (Ottawa South L)
 McLean, Allan K. (Simcoe East PC)
McLeod, Hon Lyn, Minister of Colleges and Universities (Fort William L)
 Miclash, Frank (Kenora L)

- Miller, Gordon I. (Norfolk L)
 Morin, Gilles E. (Carleton East L)
 Morin-Strom, Karl E. (Sault Ste Marie NDP)
 Neumann, David E. (Brantford L)
 Nicholas, Cindy (Scarborough Centre L)
 Nixon, J. Bradford (York Mills L)
Nixon, Hon Robert F., Deputy Premier and Treasurer of Ontario and Minister of Economics (Brant-Haldimand L)
Oddie Munro, Hon Lily, Minister of Culture and Communications (Hamilton Centre L)
 Offer, Steven (Mississauga North L)
O'Neil, Hon Hugh P., Minister of Tourism and Recreation (Quinte L)
 O'Neill, Yvonne (Ottawa-Rideau L)
 Owen, Bruce (Simcoe Centre L)
Patten, Hon Richard, Minister of Government Services (Ottawa Centre L)
 Pelissero, Harry E. (Lincoln L)
Peterson, Hon David R., Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)
 Philip, Ed (Etobicoke-Rexdale NDP)
Phillips, Hon Gerry, Minister of Citizenship (Scarborough-Agincourt L)
 Poirier, Jean, Deputy Speaker and Chairman of the Committees of the Whole House (Prescott and Russell L)
 Pollock, Jim (Hastings-Peterborough PC)
 Polsinelli, Claudio (Yorkview L)
 Poole, Dianne (Eglinton L)
 Pope, Alan W. (Cochrane South PC)
 Pouliot, Gilles (Lake Nipigon NDP)
 Rae, Bob (York South NDP)
Ramsay, Hon David, Minister of Correctional Services (Timiskaming L)
 Ray, Michael C., Deputy Chairman of the Committees of the Whole House (Windsor-Walkerville L)
 Reville, David (Riverdale NDP)
 Reycraft, Douglas R. (Middlesex L)
Riddell, Hon Jack, Minister of Agriculture and Food (Huron L)
 Roberts, Marietta L. D. (Elgin L)
 Runciman, Robert W. (Leeds-Grenville PC)
 Ruprecht, Tony (Parkdale L)
Scott, Hon Ian G., Attorney General and acting Solicitor General and minister responsible for native affairs (St George-St David L)
 Smith, David W. (Lambton L)
 Smith, E. Joan, (London South L)
 Sola, John (Mississauga East L)
Sorbara, Hon Gregory S., Minister of Labour (York Centre L)
 South, Larry (Frontenac-Addington L)
 Sterling, Norman W. (Carleton PC)
 Stoner, Norah (Durham West L)
 Sullivan, Barbara (Halton Centre L)
Sweeney, Hon John, Minister of Community and Social Services (Kitchener-Wilmot L)
 Tatham, Charlie (Oxford L)
 Velshi, Murad (Don Mills L)
 Villeneuve, Noble (Stormont, Dundas and Glengarry PC)
Ward, Hon Christopher C., Minister of Education (Wentworth North L)
 Wildman, Bud (Algoma NDP)
Wilson, Hon Mavis, Minister without Portfolio (Dufferin-Peel L)
 Wiseman, Douglas J. (Lanark-Renfrew PC)
Wong, Hon Robert C., Minister of Energy (Fort York L)
Wrye, Hon William, Minister of Consumer and Commercial Relations (Windsor-Sandwich L)

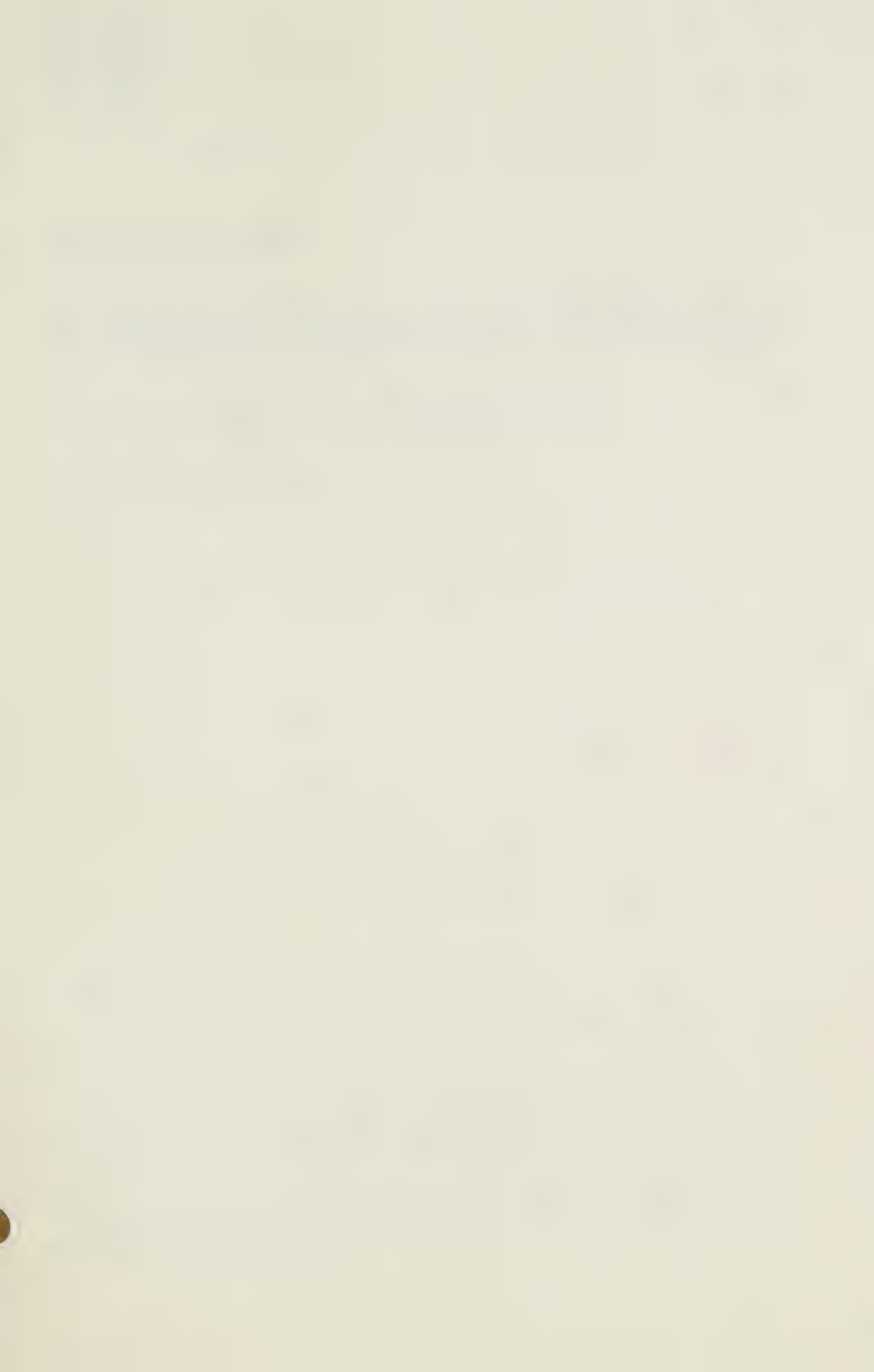
*The alphabetical list of members appears in each issue. Lists of the members of the executive council, parliamentary assistants and members of committees, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

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No. 34

Hansard

Official Report of Debates

Legislative Assembly of Ontario



Second Session, 34th Parliament

Thursday 29 June 1989

Speaker: Honourable Hugh A. Edighoffer

Clerk of the House: Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 29 June 1989

The House met at 1000.

Prayers.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

GREAT LAKES FISHERY

Mr J. M. Johnson moved resolution 13.

That in the opinion of this House, recognizing the importance of sport fishing to the economic wellbeing of the province, and the need to improve the management and quality of the aquatic resources in the Great Lakes fishery, the government of Ontario should implement changes in the regulation and management of the Great Lakes fishery to ensure that sport fishing remains viable in Ontario by immediately initiating plans to eliminate the use of commercial gill nets and provide assistance to the commercial fishing industry in converting to trap nets and by accelerating its fish stocking programs.

The Deputy Speaker: The member has up to 20 minutes to make his presentation and may reserve any portion of those 20 minutes for the windup.

Mr J. M. Johnson: Over a year ago, on 15 June 1988, my colleague the member for Hastings-Peterborough (Mr Pollock), the Progressive Conservative critic for Natural Resources, announced the policy of the Progressive Conservative Party of Ontario on commercial and sport fishing in our Great Lakes. The member is in the hospital today or he would be speaking on this resolution.

This policy statement urged the government to take immediate action to implement changes in the regulation and management of the Great Lakes fishery to ensure that both commercial and sport fishing industries remain viable in Ontario. One of the main initiatives of this policy statement was the thrust towards replacing commercial gill nets with trap nets.

While the government has made some progress in certain areas for the protection of sport fish, especially in eastern Lake Ontario, it has not addressed the issue in a really meaningful way. For this reason, I felt compelled to bring this resolution forward. Today we will have the opportunity to debate this issue, and I would like

at this time to give members some background information.

The people of Ontario do benefit and should continue to benefit from commercial and sport fishing. These benefits are both social and economic. Currently, Ontario has approximately 2.5 million to 3 million people participating in sport fishing and supporting an industry valued at over \$2.4 billion annually. The sport fishing industry is in a period of dramatic growth. Approximately 3,000 Ontario commercial fishermen catch products with a total dockside value of approximately \$100 million per annum.

Commercial fishermen use a variety of gear, including both live-capture trap nets and gill nets. Both types of nets can be set to target for specific fish species, but both will also incidentally catch nontarget species. Fortunately, most fish caught in trap nets can be released to swim and spawn again. Those caught in gill nets are normally dead or dying.

Studies in Ontario and elsewhere have shown that incidental catches in commercial gill nets are substantial. Several jurisdictions—New York, Ohio, Michigan and Minnesota—with whom Ontario shares international waters have already banned the use of gill nets.

The issue is gill netting in the Great Lakes. Commercial fishermen in the Great Lakes are licensed by the Ministry of Natural Resources to fish with gill nets for yellow perch, white perch, whitefish and smelt. Other fish for which commercial fishermen are not presently licensed, such as trout, bass and walleye, are inadvertently caught in gill nets, resulting in what is called an incidental catch. The incidental catch of the commercial fishermen significantly reduces the amount of game fish available to sport fishermen. That is the heart of the issue and the reason for this resolution.

A number of studies have been undertaken by the Ministry of Natural Resources showing that there is always incidental catch in the gill nets used by commercial fishermen. A 1987 study conducted by the Ministry of Natural Resources showed that 61 per cent of the fish caught in perch gill nets were nontarget sport fish. An earlier MNR study in eastern Lake Ontario

showed gill netters incidentally caught three lake trout for every one of their target whitefish.

I might make reference to a Ministry of Natural Resources study conducted in eastern Lake Ontario. I will cite a few facts. In zone 2.1, 45 per cent of the fish caught were sport fish, 33 per cent were yellow perch and 22 per cent were other species. In zone 4, 31 per cent were sport fish, 32 per cent were yellow perch and 37 per cent were other species.

There are several other documents here, but the bottom line is that, overall, 30 per cent of the weight of the estimated harvest from small-mesh gill nets consist of sport fish, while 39 per cent are yellow perch—that was the target species—and 31 per cent are other species. Therefore, 61 per cent of the fish caught in gill nets are not the target fish, in this instance perch. That was a small study in eastern Lake Ontario.

The significant reduction in available game fish caused by the use of commercial gill nets reduces the potential economic benefits to the local area. Sport fishing has become of greater economic significance to the province than commercial fishing. In 1985, the economic impact of sport fishing to Ontario was \$2.4 billion. In 1987, the landed value of Ontario commercial fish was approximately \$100 million. That is \$2.4 billion compared to \$100 million.

1010

I might take a few minutes to mention an article by Jim Foster of the Toronto Star in the 10 July 1988 paper. I will cite a couple of facts he has mentioned. "Mississauga has proclaimed itself Salmon Capital of Canada, Gateway to a Sport Fisherman's Paradise....Fishing in Lake Ontario is big bucks. Since 1975 it has grown from zilch to \$50 million or more a year, by unofficial estimates. Some insiders think that figure is low. No one tallies all the spending on boats, motors, fuel, tackle, electronic gear, charters, accommodation, food and drink, ice and what have you...."

Scarborough's economic development commissioner, John Morand, "figures the action is worth at least \$5 million to Scarborough this year and will soon reach \$15 million....Thousands of anglers visit Mississauga every year and the city now advertises its salmon—'Your best bet for a trophy'—in the US, Europe and Japan...."

"The Ontario government"—that is, the Liberal government—"says almost one third of the population goes fishing every summer and 700,000 Americans join them. Metro Toronto alone has at least a quarter million fishermen."

I might just say that I have the latest statistics from the Ministry of Natural Resources on the sport fishing licences. The 1987-88 figures are not in yet. For nonresidents, 637,000 people bought licences, and of Ontario residents, 983,000, nearly a million people. The total number of licences is 1.62 million, and the approximate revenue is \$21 million for licences alone. That does not include the food, drink and all the things that are related to sport fishing.

I will go back to the article in the Toronto Star: "Last year's Salmon Hunt entries represent more than 500 Ontario towns, not to mention all the other provinces, 22 American states, Europe and the Far East." Steve Wells of Steve's Custom Tackle in St Catharines was quoted as saying: "What woke Ontario up was reading that in 1981-82 fishing brought in \$5.5 billion revenue for New York state." It is a significant amount of money for our tourist industry.

I will carry on with the background material. The significant reduction in available game fish caused by the use of commercial gill nets reduces the potential economic benefits to local areas. That is the point I was trying to make by citing some of those facts. Sport fishing has become more important than commercial fishing as far as raising dollars for the province.

If commercial fishermen switched to trap nets, most of the nontarget fish could be released alive to swim and spawn again. Trap nets also produce better-quality commercial fish for the consumer.

The community fisheries program, which assists with the management and stocking of provincial waterways with game fish, would benefit from a move to trap nets. Operators have recently been reluctant to continue with the program because they are seeing the fish they raised for sport fishing being killed in commercial gill nets.

In response to the findings of the studies noted above, on 30 March 1988 the Ministry of Natural Resources announced some restrictions in the use of gill nets on eastern Lake Ontario for the 1988 and 1989 fishing seasons. I congratulate them on this initiative. The announcement also extended the current buyout program, currently in place to purchase commercial gill net operations, to 15 December 1988. I would hope that they would reinstitute this program, because it is a very worthwhile initiative.

I might just make mention of that study. I received this documentation on 21 June, just a few days ago, by fax from the Napanee district manager of the Ministry of Natural Resources. He said:

"Complaints by local commercial fishermen and observations by MNR staff have indicated substantial incidental catches on nontarget fish species in small-mesh gill nets. During May and June of 1987, MNR initiated a study to determine levels of incidental catch of nontarget fish species in the small-mesh yellow perch gill net fishery.

Overall, 30 per cent of the weight of the estimated May-June commercial gill net catch was sport fish, while approximately 39 per cent was yellow perch, the target species—only 39 per cent—while 31 per cent was fish of other species. Therefore, 61 per cent of the fish caught in perch gill nets were not perch.

They had a very interesting study conducted in that area and had meetings with various people. They did encourage many of the commercial fishermen who were using gill nets to convert. For those commercial fishermen wishing to dispose of gill net licences or to retire from the fishery, a buyout program was initiated to purchase gill net operations offered for sale during 1988.

The buyout program, which is now completed, involved the purchase of 20 of the 56 gill net licences on eastern Lake Ontario. The quantity of licensed gill nets was reduced by 85,250 metres, or approximately 32 per cent. Four new trap net licences were issued to commercial fishermen who wished to convert from gill net licences to entrapment gear. It is a program which I assume was completed in 1988. I encourage the ministry to carry on with that program.

I have a few recommendations I would like to table at this time.

I firmly believe that changes are necessary in the regulation and management of the commercial fishing industry to ensure that both the commercial and sport fishing industries remain viable in Ontario.

The Ontario government cannot ignore the economic benefits both industries bring to the province; nor can it ignore its investment in the community fisheries program.

The province must move immediately to phase out the use of gill nets for commercial fishing based on a structured time frame related to the lifetime of existing licences.

In conjunction with a phase-out program, the Ontario government must implement a program to financially assist commercial fishermen to either retire or to switch their operations to the use of trap nets.

The province must move immediately to consult with all interested parties—ie, commercial fishermen, sport fishermen and native groups—to develop these programs.

I would like to reserve approximately five minutes of my time to allow other members to participate in this debate.

Mr Miller: I am pleased this morning to be able to rise and participate in the debate concerning the resolution of the member for Wellington (Mr J. M. Johnson) concerning the Great Lakes fishery.

First of all, I would like to pay a little bit of a tribute to our honourable friend the member for Hastings-Peterborough. We are sorry to know that he is in the hospital. We would just like to wish him well. We hope he is on the mend and that he will be back in the Legislature soon. I have always enjoyed working with him, his colleagues and other members of the Legislature.

To get back to the debate that we are involved in this morning, both sport and commercial fishing have important roles to play in the economy of this province. I believe our government, particularly the Ministry of Natural Resources, has a commitment to a healthy fishery. That commitment is demonstrated in part by the success that has been achieved through the strategic plan for Ontario fisheries.

1020

The Minister of Natural Resources (Mr Kerrio) recently announced that a major review of the strategic plan is being undertaken to prepare for the fisheries challenge of the future. The original management strategy was approved in 1976 and since that time, significant progress has been made in managing Ontario's fisheries resources. The honourable minister has stated that fishing on the Great Lakes is in great shape and the strategic planning for Ontario fisheries 2 initiative is aimed at further improving the health of the province's fisheries.

I would like to point out that, particularly on Lake Erie, the fishing has improved and the pickerel fishing has never been better. The anglers and the commercial fishermen are all taking part in that resource.

The undertaking will break new ground through unprecedented public involvement. In addition, input is being sought from a wide range of interest groups.

Some of the best sport fishing anywhere in North America can be found right here in Ontario. In addition to providing recreational opportunities for the people of Ontario and visitors of the province, a strong sport fishery

provides economic benefits and encourages tourism.

I know that the Minister of Natural Resources also recognizes the important role the commercial fishing industry plays and that his ministry is working with the industry to ensure that it prospers and the fisheries resource is protected.

The commercial fishing industry, which is the mainstay of my riding of Norfolk, particularly in the Port Dover, Port Rowan, Port Stanley area, has played a tremendous role in the history of those municipalities. I know there is a lot of potential, and that can continue.

Where there is a conflict between the sport fishing and commercial fishing communities, the ministry tries to resolve it and promotes co-operation between the two sectors.

One of the contentious issues between these two sectors has been the size of incidental catch in commercial gill nets. The ministry has approached this issue on a lake-by-lake basis and I would like to take a few moments to talk about some of the programs which are in effect.

Earlier this month the ministry announced new restrictions to further reduce the incidental catch of smallmouth bass taken in commercial gill nets in Long Point Bay in Lake Erie, which is in my constituency. The use of gill nets will be banned from 1 July to 30 September in an area east of Port Dover, including a strip immediately offshore running about 4.2 kilometres east from Port Dover to Peacock Point. The adjacent waters surrounding Nanticoke shoal are also included.

I think we recognize the importance of maintaining these areas as a nursery for restocking the lakes and that approach should be utilized in all parts of the Great Lakes and all waterways within the Ontario boundary.

Last year, commercial fishermen in the area co-operated in avoiding what the ministry refers to as hot spots, areas with high populations of smallmouth bass, east of Port Dover. As a result, the incidental catch has declined by 33 per cent since 1987. With the new restrictions, the ministry estimates that the incidental catch should be reduced by 77 to 100 per cent.

The restricted areas are not highly productive for perch, which is the commercial fishermen's main target. Therefore, the new restrictions are expected to have a minimal effect on the commercial fishery.

I might add that that particular area is where the Nanticoke Hydro generating station was located. When they located that station there, there was a lot of concern that it would destroy

the fishing industry. Actually, it has been a benefit and it is a reproductive area because of the warm water discharged from the Hydro generating plant itself.

Mr Wildman: And the fish light up the plate for a candlelight dinner.

Mr Miller: I think the quality of the fish is excellent, not like some of the other lakes like Lake Ontario, where they have sport fishing and the fish get so big but they are not able to be put on your plate. I think the quality is important, and commercial fishermen have been able to protect that.

I would also like to point out that the closure of the near-shore waters from Port Dover west to Turkey Point that now runs through July and August will be extended to the end of September.

There has been a ban on gill nets in the inner part of Long Point Bay since the early 1970s. The Ministry of Natural Resources has generally received co-operation from commercial fishermen in its effort to monitor the incidental catch on the Great Lakes.

Problems with incidental catch resulted in major changes in the management of commercial fisheries in the eastern end of Lake Ontario last year. For the 1988-89 fishing season, the ministry prohibited the use of gill nets in the eastern basin from 1 May to 30 June, in an area off Brighton from 1 May to 31 July, and in the north channel near Kingston from 1 May to 31 August.

Ministry studies in the area show high incidental catches of lake trout and immature walleye. There is also an experimental commercial walleye harvest at the eastern end of Lake Ontario this year, using live capture gear only.

The ministry had a buyout program from March to December last year for commercial operators who were interested in selling their business to the province. On Lake Huron gill net commercial fishery operators had to convert yellow perch gear to shallow-mesh nets from deep-mesh nets last year in an effort to reduce the incidental catch of salmon.

You can see decisions are made based on local conditions, and as the minister has stated in the past, the decisions are made in the interests of the fisheries resource.

I know the ministry is pursuing an incidental catch policy that will be acceptable to both the commercial and sport fisheries. But some commercial fishermen view the gill net as essential to their livelihood. The elimination of commercial gill nets would increase the operating costs of commercial fishermen and create a huge finan-

cial burden. Many fishing operations would be forced out of business, with the result of lost jobs. The cost of conversion to the trap net is estimated to be from \$750,000 to \$1 million per operation. These costs would be largely borne by the commercial fishing industry, with further impacts on processors, wholesalers and consumers. The total cost could run into hundreds of millions of dollars, given that 300 to 400 operations may be involved.

In addition, there may be instances where trap nets are not feasible technically. About 80 per cent of the Great Lakes is unfishable with entrapment gear. I think that is an issue that has to be given a lot of consideration. In these cases the cost would be the value of the lost product due to reduction in industry efficiency.

The fisheries resource must be protected and shared. The best way to accomplish this is for anglers and commercial fishermen to work together with government, and I believe that is what is taking place at the present time.

The resolution also calls on the province to accelerate its fish stocking program. Members will be interested to learn that the Ministry of Natural Resources has stocking programs in about 1,000 lakes and rivers in the province. Fish stocking and capital projects associated with it have accounted for about 25 per cent of the fisheries budget over the past few years, with \$8 million to \$9 million being spent each year on stocking.

I have many other issues to discuss in this debate, but because of the time, I will leave some for my colleague the member for Essex-Kent (Mr McGuigan) to carry on. I know the government is committed to ensuring that both sectors remain viable. I share that commitment, but eliminating the use of commercial gill nets is not going to ensure a viable sport fishery. For this reason, I am unable to support the resolution made by the member for Wellington.

Mr Wildman: I rise to participate in this debate, frankly, with mixed feelings. Before I get into the substance of my presentation, I do want to join with my friend the member for Norfolk (Mr Miller) in expressing good wishes to our friend the member for Hastings-Peterborough and a hope for his speedy recovery.

I want also to congratulate my friend the member for Wellington in introducing this resolution, because I know of his very serious interest in the tourist industry in Ontario and in recreation for the people of this province. I listened with interest to the presentations of my two colleagues, and I must say I have some

sympathy with the whereases, if you want to call them that, in the resolution. There is no question that sport fishery is essential to the economic wellbeing of tourism in this province.

Mr McGuigan: Eighty-two per cent is in non-Great Lakes.

1030

Mr Wildman: Interestingly, my friend from Kent was just mentioning what I was going to say next, in that significant fishery in this province, particularly in my part of the province, is in smaller lakes not in the Great Lakes. I agree with my friend's comment that there is a need to improve the management and quality of aquatic resources in the Great Lakes fishery, even though the majority of tourism and sport fishing relates to the smaller lakes.

There is no question that we do need to improve this fishery on the Great Lakes, and I know the ministry has been making an effort to do that. I have some problems, however, with the comments by my friend from Norfolk with regard to the strategic plan and the management by individual lake he was talking about. I will explain that in a moment.

We had the institution in this province of a resident fishing licence a few years ago. At the time, the Minister of Natural Resources promised that the revenue from that resource, that tax, really, or user fee, would be used for the improvement of the fishery. There is no question that there has been an additional amount of money spent on things like the community fisheries involvement program since that fishing licence was instituted. However, the total amount spent, when you compare it with the total amount spent before the institution of the fishing licence, is not commensurate with the total amount brought in, even when you deduct the administration of the fishing licence program.

I do not think we are getting value for money in the way we might if the minister kept up his resource. The fact is that the minister would like to pretend that by hiring conservation officers, for instance, conservation officers we need—

Mr Miller: And you want to give them more money, too.

Mr Wildman: And we want to give them more money. By hiring conservation officers, he says he is keeping his commitment. Well, he is not. Frankly, conservation officers are responsible for far more than the fishing regulations. In other words, the fishing licence is paying for conservation officers who are implementing

parks regulations and hunting regulations. That was not what the fishing licence was for.

Having said that, we have seen that the community fisheries involvement program is a good one. It involves people in the fishery. It involves people in trying to improve habitat and in stocking of lakes, particularly and mainly small lakes. In the big lakes, it has meant salmon production in our area.

I am disappointed, however, that the ministry chose not to continue through CFIP to fund the Sault Ste Marie municipal hatchery, which has done a great deal in our area to improve the fishery. I am also disappointed that while there have been attempts to resolve the difficulties that arise between commercial fishermen and sport fishermen on the Great Lakes by agreements such as the one the member for Norfolk was referring to—In our area, on eastern Lake Superior, for instance, the commercial fishermen have agreed not to set nets in Batchawana Bay, because it is a significant sport fishery. It benefits both the tourist industry, the sportsman who wants to get out and do some angling, and the commercial fishermen, because they are making a commitment to the community.

Mr Miller: It is a nursery.

Mr Wildman: Exactly. It is a nursery, as my friend from Norfolk says.

There is a serious problem, though, with incidental catch. To say that it has been handled on a lake-by-lake basis, as my friend from Norfolk indicated, whether he is talking about, in our area, an incidental catch of lake trout, pickerel or walleye, ignores the fact that the Minister of Natural Resources has just recently unilaterally frozen fishing quotas on the Great Lakes for commercial fishermen. He is destroying the regional management process by doing this. The minister himself and the people on his staff in Toronto have taken over review of quotas on the Great Lakes, removing it from the regional ministry staff. In doing so, in my view, he has effectively limited the input of fishermen, both sport and commercial, in the operation of the commercial quota system year by year.

I do not understand why the minister has decided to take over direction of quota setting rather than continuing to delegate the authority to set quotas to the regional lake managers. If he really wants to do it on a lake-by-lake basis, how can he do that if he does not let the regional managers do their job?

The minister seems to be determined to take direct control. In doing so, though, he has not ensured that the commercial fishermen and the

sport fishermen in the various regions of the province have proper input. On Lake Huron, for instance, there are biological data that indicate there should be a 10 per cent increase in the quota this year. That is what the regional manager said: There should be a 10 per cent increase in the Lake Huron quotas this year. That is biological information. But what did the minister do? He did not say, "Okay, go ahead." He froze the quotas.

Mr Miller: He had a good reason.

Mr Wildman: I would like to know what the reason is. I have not heard a good reason yet.

If there are criteria to determine that the biological data that has been developed does not apply and should not be applied, then why does the minister not publish those criteria? I think the minister should go public and justify the limiting of the income of commercial fishermen that results from his freezing of the quotas.

I think the minister should re-examine the quota freeze immediately. We all agree—commercial fishermen, sport fishermen and conservationists—that quotas must be based on biological assessments, not political decisions. If the minister is determined not to delegate quota setting to his staff, then he must establish a system for regular meetings with representatives of commercial fishermen from all of the Great Lakes to ensure that the incidental catch problem is dealt with.

Having said that, I am concerned that in concentrating on the Great Lakes, we are ignoring the sport fishermen and the sport fishery on the smaller lakes. Frankly, in our area more should be done in terms of stocking the smaller lakes, because that is where the sport fishery takes place. I support the stocking program on eastern Lake Superior and in the north channel of Lake Huron, but I think we should be trying to direct more of our resources to the smaller lakes to support the sport fishery.

In terms of commercial fishery on the big lakes, there is the problem that entrapment gear is not particularly effective in a big lake like Lake Superior. There is so much area that it just does not work. But if we are going to say that entrapment gear is not appropriate, that the technology, at least, is not adequate yet, then we have to deal with the quota question and the incidental catch questions. We have to deal with them on a regional basis; not even on just a lake-by-lake basis, but on a bay-by-bay basis.

Mr McGuigan: So we are.

Mr Wildman: I understand that. The regional lake managers have been doing that, but a

unilateral freeze of quotas across the province does not do that.

The Deputy Speaker: The member's time is up.

Mr McLean: I am pleased to take part in this debate today. However, if my colleague the member for Hastings-Peterborough were not ill, he would have been here in my place. I, along with my colleagues, wish him a speedy recovery.

I want to congratulate the member for Wellington on bringing this resolution forward. I would like to read this resolution again: "That, in the opinion of this House, recognizing the importance of sport fishing to the economic wellbeing of the province, and the need to improve the management and quality of the aquatic resources in the Great Lakes fishery; the government of Ontario should implement changes in the regulation and management of the Great Lakes fishery to ensure that sport fishing remains viable in Ontario by immediately initiating plans to eliminate the use of commercial gill nets and provide assistance to the commercial fishing industry in converting to trap nets and by accelerating its fish stocking program."

I am pleased to have this opportunity to say a few words on this resolution brought forward by my colleague the member for Wellington because, as my party's critic for Tourism and Recreation, I know about the importance of sport fishing as it relates to the tourism and hospitality industry in Ontario. In fact, it is very important to the overall economic wellbeing of this province.

1040

I agree with my colleague the member for Wellington when he points out that there is a need to improve the management and quality of the aquatic resources in the Great Lakes fishery and I join with him in calling on the government to "implement changes in the regulation and management of the Great Lakes fishery to ensure that sport fishing remains viable in Ontario by immediately initiating plans to eliminate the use of gill nets and provide assistance to the commercial fishing industry to convert to trap nets and by accelerating its fish stocking program."

As we all know, commercial fishermen on the Great Lakes are licensed by the Ministry of Natural Resources to fish with gill nets for such species as yellow perch, white perch, whitefish and smelt. Unfortunately, other species for which commercial fishermen are not licensed, such as trout and walleye, are inadvertently caught in these gill nets, resulting in the incidental catch of fish that attracts sport

fishermen to Ontario from other provinces in Canada and even those from beyond the borders of this country.

I want to make it quite clear that I am not advocating the abolition of the commercial fishing industry. Rather, I am advocating major changes to commercial fishing practices, because I believe this industry is ready, willing and able to allow for the wise use of Ontario's precious natural resources.

I am of the opinion that the use of gill nets for commercial fishing should be banned. Because of its size and the efficiency of its equipment, the commercial industry has the potential to over-harvest fish stocks drastically, to the detriment of resident and visiting nonresident fishermen. It is my understanding that gill nets kill virtually everything that enters into them, and not just the fish commercial fishermen are licensed to catch.

There are three very specific studies that point to the nonselective deadliness of gill nets: The Lake Huron fisheries assessment unit produced figures that indicated commercial netters incidentally killed 126,455 salmon and trout while fishing for whitefish, chub and perch in 1984 and 1985 in part of Lake Huron; a study conducted by the Ministry of Natural Resources in the eastern section of Lake Ontario showed that gill net fishermen seeking whitefish were likely to catch three lake trout for every whitefish; a study conducted near Long Point Bay in Lake Erie estimated that perch gill nets caught 7,200 bass from mid-July to mid-August of 1983 and 1984, which is roughly equivalent to one quarter of the total angler harvest.

I sincerely believe that if commercial fishermen switch to trap nets, most of the nontarget fish could be released alive to swim, spawn and provide a challenge to resident and nonresident sport fishermen.

According to Ministry of Natural Resources statistics, there were 983,000 resident and 637,000 nonresident sport fishing licences issued in 1988, which generated about \$21 million. I think these statistics are a clear indication of just how vibrant and important sport fishing is to the Ontario tourism industry.

The government must implement changes in the regulations and management of the Great Lakes fishery to ensure that sport fishing remains viable in Ontario. Ontario sport fishing is an extremely important component of Ontario's tourism and recreation industry, which generates unparalleled economic and employment opportunities, substantially reduces our provincial

travel deficit and attracts our rightful share of world travel and tourism revenues.

Sport fishing is extremely important to the tourist industry of Ontario, which in turn is extremely important to the economy of this province. The tourism hospitality industry is the province's leading service sector industry and one of the top three contributors to Ontario's economy. Sport fishing and tourism generate billions of dollars of income and foreign exchange earnings for this province annually.

In 1987 the industry had sales of \$21.3 billion in Ontario. Travel expenditures in the province totalled \$9.3 billion, and that was a 7.6 per cent increase over 1986. That also represents six per cent of the gross provincial product and one out of every 10 jobs. Combined, the tourism and recreation sectors, of which sport fishing plays a major role, account for 11 per cent of employment in Ontario.

I believe the province should follow the lead of many of her neighbours to the south which saw Michigan ban the use of gill nets in 1972, with the exception of Indians in limited and designated areas. New York state banned gill netting in 1986. Indiana has banned gill netting for perch fishing and Ohio banned gill nets for walleye fishing on Lake Erie.

I believe the resolution brought forward by my colleague from Wellington will improve the management and quality of the delicate aquatic resources of our Great Lakes and protect the province's sport fishing industry.

I believe the use of gill nets for commercial fishing must be phased out in Ontario, with such a phase-out program developed on a regional basis and including such options as:

Ensuring the close monitoring of existing gill net fisheries, in an attempt to reduce incidental catches while maintaining the status quo. Expansion of the gill net study carried out in the eastern sector of Lake Ontario to all of the Great Lakes might prove to be advantageous.

Encourage the conversion from gill nets to live capture gear through various avenues and incentives, including government buyout.

Making the use of gill nets specific to the time of year or a location; for example, gill netting, other than large mesh for carp, is prohibited in the Bay of Quinte and the St Lawrence River.

Authorizing the use of live capture gear only for any commercial fishing licensee and prohibiting the use of gill nets by a specified date.

Recognizing the incidental catch of sport fish by making formal allocation of one or more of these species to the commercial gill net fishery.

Financial assistance to convert from traditional methods of fishing to modernized fish farming.

Transition assistance to commercial fishermen interested in pursuing related business opportunities such as food processing and charter businesses.

Financial assistance to purchase the equipment, licences and quotas of commercial fishermen interested in pursuing nonfishing-related opportunities.

Accelerated fish stocking programs to enhance the tourism, recreation and sport fishing potential of each area of this province.

As my party's critic for Tourism and Recreation, I believe that changes are required in the regulation and management of the Great Lakes fishery to ensure that both the commercial and sport fishing industries remain viable in Ontario and actually grow and expand in the future. This government cannot ignore the social and economic benefits of these industries and what they bring to Ontario.

I would like to repeat that I am not advocating abolition of the commercial fishing industry in Ontario. What I am advocating is major changes to commercial fishing practices because I really do believe that the commercial fishing industry is quite willing to allow for the wise use of Ontario's precious and threatened natural resources. We must not leave our children and our children's children with a legacy of lakes containing few or no species of sport fish.

Tourism is notably absent from the recent throne speech and budget. When the economy slows down, as many predict will eventually happen, it will be increasingly difficult to position tourism as an important element of Ontario's future economy.

1050

Mr McGuigan: I thank the member for Wellington for bringing this matter for debate and I join my colleagues—I think everyone in the House—in wishing a speedy recovery for the member for Hastings-Peterborough. I will begin by pointing out that this government does recognize the importance of sport fishing to the economic wellbeing of Ontario, and as my colleague points out, it is doing a great deal to improve the aquatic resources of the Great Lakes.

I have lived all of my life within sight and sound of Lake Erie, as has my family since the mid-1830s. I remember that portion of Lake Erie in the 1950s was considered to be dead. It is alive and well today thanks to the joint efforts of

Canada, the United States and Ontario in cleaning up the lakes.

Even though it is the most productive freshwater fishery in the world and even though Lake Erie produces 60 per cent of the commercial catch in all of Ontario, it was in the early 1800s even more productive. I will just refer members to this book called *The Good Years*, written by Frank Prothero.

Early reports by explorers and missionaries talk of fish being so numerous that at spawning time streams became clogged with salmon so thickly that piles of rotting fish were left behind. In the 1920s, the Lake Erie herring catch was in the range of 12 million pounds. Whitefish reached almost four million pounds in the 1950s. Pickerel reached 10 million pounds in the early 1950s, crashed in the 1970s and are now about eight million to nine million pounds at the present.

Smelt, a relative newcomer, reached 20 million pounds in the 1960s. In 1954, there were six million pounds of white bass caught, and in 1909 the pike harvest was almost three billion. Catfish, carp and suckers were also harvested. Sturgeon were so abundant in the last century that they were used for fuel and for fertilizer.

The key to heavy harvests of both sport and commercial fishermen is not the elimination of gill nets, but fish management: management of the stocks and management of the environment. The mover of the resolution calls for the elimination of the use of commercial gill nets. I remember a pond net fishery just down the road from where I live. It was the Curtiss Brothers fishery, given up many years ago.

These people had wooden stakes, some as long as 60 feet, which they drove into the lake bed within sight of shore. The stakes lasted only a few years; maybe 10 years. Today they would be difficult to come by, if they were available at all. Just think of the cost of a hydro pole today. If you knock one down with your truck, it is going to cost you about \$500.

I remember the open pond net boats and the danger to life they presented to the fishermen compared to the modern enclosed gill net tugs. Trap nets or pond nets cannot be moved to follow the fish, and aside from the costs, as mentioned by my colleague the member for Norfolk, they simply would not be physically able to catch the millions of pounds of fish taken annually from Lake Erie.

I hasten to add that the quota allocated to sport fishermen on Lake Erie has never been taken up. Some 10 years ago, the sport fishermen took up

to 20 per cent of their allocated 10 per cent of the catch. Last year, for the first time, the sport fishermen took up just over 80 per cent of their allocation.

There are two communities in my riding of Essex-Kent that owe their existence largely to the commercial fishing industry, although sport fishing is important. I am speaking of the ports of Erieau and Wheatley.

Wheatley is the home of a large fleet of tugs, plus a very extensive fish processing industry. The largest of these processors, Omstead Foods, employs 900 people. Wages in their plants compare favourably with the industrial plants in Tilbury and Windsor. The processing plant and the freezing plant would be measured in acres, not in thousands of square feet.

Starting with frozen deep-battered fish sticks, this company has developed a host of fried and frozen products that today cover a large number of vegetable crops. Most notable is their production of fried onion rings, produced in season from Ontario Spanish-type onions. They also produce gourmet-style frozen finger foods, fried and frozen cauliflower, broccoli and other vegetables, and even some cheese. These items replace imports from the United States. In fact, as much of the production is exported to the United States, the production adds to our balance of payments.

Total production is in the \$100 million range from this one plant and presently the nonfish items show a promise of outstripping the fish production. The key to this production is the fish base of their operation. It is instructional to note that the operation is not situated in the Niagara Peninsula, where so much of Ontario's fruit and vegetables are produced. There is no comparable freezer plant as part of a processing plant in Ontario. Freezer plants are capital-intensive and costly to operate.

It is only through the fact that fish, fruit and vegetables complement each other seasonally that this operation is a commercial success. Members should just stop to think of the change in lifestyle—TV dinners, microwave ovens and all of this—which encourages the use of fish, because when you look at the selling of fresh fish through the supermarkets, fresh fish is a very difficult item to market, whereas the processed is very easy.

Look at the village of Erieau, which is very close to where I live. I want to point out that these communities are very close-knit in their historical attachment to the fishing industry and to their families. Erieau boasts that during the Second World War it had the highest percentage of its

population in the armed services of any community in North America. Naturally, most of these people were in the navy.

Trap or impoundment nets would never support this industry. To implement the intention of the resolution, as well meaning as it may be, would destroy not only a fishing industry but also a sector of the vegetables industry in south-western Ontario.

This company operates a fleet of reefer trucks that cover all of North America, bringing fresh fish from all of the Great Lakes ports to Wheatley and indeed from lakes in the prairie provinces as they transport them to the far corners of North America. A local shipbuilding industry builds ships for the fishing industry and for export to other parts of the world. Hike Metal Products has just completed one of the largest trimaran ships in the world for export to Australia.

I enjoy angling myself. My son is a trophy fisherman, one of the best. Every summer we spend a few hours on Rondeau Bay, one of the best bass fisheries in North America. From my farm background, I would be inclined to keep the catch, but my son, as do many ardent fishermen, practises catch-and-release fishing. I believe many sport fishermen understand that commercial fishermen contribute to the management of the fishery.

Take a look at Lake St Clair. Commercial fishing was banned there many years ago due to mercury pollution. Local fishermen will tell you that for a time, sport fishing success did increase. Today it is declining. Some of the sport fishing charter boats, I am told, have now moved to Lake Erie ports. The reason is that coarse fish, formerly removed by commercial fishermen, are on the increase. White perch spawn in the same year as they are hatched and every year thereafter for three or four years.

The Acting Speaker (Mr M. C. Ray): The next and final speaker is the member for Wellington to conclude the debate.

Mr J. M. Johnson: I assume from the comments that the resolution will not receive support from the government side. In 1987, 1,620,000 people bought sport fishing licences, creating revenues of \$21 million for this province. Add to that the hundreds of thousands of anglers who do not require licences, people under 18 and seniors. These numbers will continue to grow if these anglers have the opportunity to catch fish. Our lakes must provide them with that opportunity.

Every 1,000 sport fish that are netted by commercial fishermen deprive 1,000 anglers of

the opportunity to catch at least one fish. How can an angler with a single line and one lure hope to compete with thousands of metres of commercial fishing net? Even the most ardent fisherman will give up if there are not any fish to catch and move on to other jurisdictions where they have more enlightened sport fishing regulations.

The SkyDome is sold out for ball games day after day, win or lose, but that will only last for so long, and then if the Jays do not start winning, attendance will diminish. So it is with fishing. For anglers to return again and again, they must have some success, at least once in a while. By supporting this resolution, members will be supporting Ontario becoming the best fishing hole in the world.

We are blessed with having the Great Lakes, the world's largest body of fresh water right on our doorstep. Surely it is just good common sense that we should be supportive of any efforts that will improve our sport fishing industry. Wise management of our natural resources is a responsibility that we as legislators must share and, hopefully, we will manage it for the betterment of the people we serve.

This resolution, in my opinion, is a step in that direction. I ask for members' support of this resolution in the hope that if it passes, the Minister of Natural Resources and the government will take some positive measures to enhance our sport fishing industry in Ontario.

With the three minutes I have left, I would like to just make some comments pertaining to the statements made by some of the members. I might just point out that I received the latest statistics which are for 1987, from the Ministry of Natural Resources. They show that the total number of dollars taken in by commercial fishermen was \$48,339,000. Of that, \$36,457,000 came from Lake Erie.

1100

Mr Miller: Come down to Port Dover, Jack, and we will give you a perch or pickerel dinner. Do you want to take that off the market?

Mr J. M. Johnson: Those two members do have a vital concern in Lake Erie and I share that concern, but Lake Ontario, Lake Huron and Lake Superior are slightly different. There are not that many commercial dollars there. Surely we can move in that direction to support the sport fishing industry to a larger extent than we are doing at the present time. The ministry has made efforts in eastern Lake Ontario to buy out some of the commercial fishermen. They have been able to convince some of the fishermen there to convert

to trap nets. We do not have to do it across the province if we can move in that direction.

I might just mention that John Power, a writer for the Toronto Star, mentioned that in 1980 a survey was conducted on the 1979 Great Salmon Hunt. There were 7,000 participants who spent in excess of \$10 million. Projecting these figures on to the 1988-89 scene, there are now three times as many anglers involved in the salmon hunt. Add in the 400 charter boats on the lake and 10 years of inflation, and he estimates that the amount spent now is in the vicinity of \$100 million, twice the amount of money that is taken in in all the commercial fishing, and that is only in the one area of salmon.

The member for Norfolk mentioned the problem of Lake Erie and I support that; it is a problem. To the member for Algoma (Mr Wildman), a northern member, if we can entice individuals in Toronto to become interested in fishing in Lake Ontario, there is a very good possibility those individuals will be hooked on fishing and will indeed go up north to try fishing in Algoma. Did the member catch that? Algoma. As a matter of fact, I might mention that my son-in-law is on a 10-day fishing trip up north, in Algoma. I am sure the economy will improve dramatically.

I would also like to mention that the member for Simcoe East (Mr McLean) made the most intelligent and reasonable speech on this issue of all the members here. Maybe I am prejudiced, but I do not think so. He lives on the shore of Lake Simcoe and owns a boat. I am sure he spends much of his time out fishing.

I encourage members to vote for this resolution.

The Acting Speaker: The time allotted for this ballot item has expired. The next order, please.

ONTARIO ENVIRONMENTAL RIGHTS ACT, 1989

Mrs Grier: I would like to reserve five minutes at the end of my allotted time to comment on the contributions of other members.

The Acting Speaker: Could you please introduce your motion first.

Mrs Grier moved second reading of Bill 12, An Act respecting Environmental Rights in Ontario.

The Acting Speaker: The member will be reminded that she has up to 20 minutes for her presentation and may reserve the five minutes she has indicated.

Mrs Grier: I am sorry. I did not realize I had to move it. I should have done that, because it is certainly not the first time I have moved second reading of an act respecting environmental rights in Ontario. In fact, it is the third time I have had the privilege of having this act debated during private members' hour.

Mr Miller: We have had this a lot of times.

Mrs Grier: I hope it might be the last time, not because I do not enjoy the experience, the debate and the exchange, but because I hope that this time the bill will move beyond second reading into committee hearings and eventually become the law of this province because as I am being reminded by the government members, the idea of a bill of rights is not new. In fact, it is exactly 10 years ago since the first environmental bill of rights was introduced in this place, by a Liberal member at that point because they were in opposition. It has been introduced many times since by very many members of both the Liberal Party and the New Democratic Party.

Mr McGuigan: And it will be again.

Mrs Grier: And it will be again. It will continue to be introduced, it will continue to be supported and it will continue to be pushed for by this party, because we believe very sincerely that if we are truly to get to the bottom of the problems affecting our environment and truly to do something significant about them, then we need to have rights to a clear environment, which we do not have in the law of this province at this time.

Bill 12, which we are debating this morning, is different than the previous bills of rights I have introduced. They were based completely on the versions that had been introduced in the early 1980s by the member for Bruce (Mr Elston) when he was the critic for the Liberal Party. What we have before us today is what I have called a new and improved environmental rights bill, but the principles and the fundamental basics of the bill are unchanged.

An environmental bill of rights would give citizens the right to go to court to protect the environment where damage is being done. It would ensure environmental decisions are not made without notifying the community and without citizens having a right to a public hearing. It would protect workers from reprisals if they release information about pollution or if they refuse to do work they believe violates environmental law.

Surely these are principles we all support, principles that were supported by all parties in this House on the previous occasions when we

had a debate on second reading of this bill, principles that were supported by 89 per cent of the members elected to this House in 1987.

The Project for Environmental Priorities prior to the 1985 election and prior to the 1987 election circulated questionnaires that it asked all candidates to fill in. One of those questions was, "Would you support an environmental bill of rights for the province of Ontario?" and 89 per cent of those elected on 10 September 1987 indicated they would support an environmental bill of rights in Ontario.

We might well ask, "Why do we not have one?"

Mr R. F. Johnston: Why?

Mrs Grier: I cannot quite understand it but I hope we can rectify that problem very shortly.

The purpose of the act is spelled out very clearly in sections 2 and 3, and I would like to just put them on the record:

2. "The purpose of this act is to ensure the health and sustainability of the environment of Ontario, and in particular:

"(a) to facilitate the participation of the people of Ontario in decisions affecting the environment and their ability to protect their common interest in a healthy and sustainable environment;

"(b) to recognize the right of the people of Ontario to an environment that is adequate for their health and wellbeing and sustainable into the future; and

"(c) to recognize the obligations of the province of Ontario to conserve and maintain the resources of the province for present and future generations."

Section 3 enunciates the right of the people of Ontario "to a healthy and sustainable environment, including clean air and water, to the conservation of the natural, scenic, historic and aesthetic values of the environment, and to the protection of ecosystems and biological diversity."

It points out that the province "as trustee of Ontario's public lands, waters and natural resources, shall conserve and maintain them for the benefit of present and future generations."

It declares that "it is in the public interest to provide every person with an adequate remedy to protect and conserve the environment and the public trust therein from contamination and degradation."

So it gives the citizens the right to have a healthy and sustainable environment and it provides them with some tools and mechanisms to do the job.

If you ask anyone in this province whether they have the right to a healthy environment, they will probably answer yes because people believe that is a right, that they ought to be able to have clean air, clean water and a clean land in which to live. But in fact it is not laid down in any of the pieces of legislation of this province, and it is not laid down that the citizens have the right to have that legislation which does exist enforced. They have to rely on the Minister of the Environment to enforce the legislation. If the minister chooses not to enforce it, they have no way to oblige him to do so. The minister has a power, but he does not have a duty and it is not mandatory that he take action.

Let me make it very clear that this bill does not relieve the minister of the responsibility to take action to protect the environment, but it does give him an army of enforcement officials. It provides him with volunteers in the form of every citizen of the province who is concerned about environmental contamination and who wants to do something about environmental contamination.

1110

Surely I do not have to tell any member of this House that the public wants a clean environment, that the public, when given the opportunity, will take advantage of that opportunity. We only have to look at the overwhelming success of the blue box program to know that is in fact the case.

As I have said, the previous environmental bills I have introduced were drafted almost a decade ago. During the debates on those pieces of legislation, government members have supported them in principle but raised objections to the actual provisions of the bills. If the members go back in Hansard to the previous debates, they will find that members on the government side found flaws in the bills, many of them quite legitimately pointed out, and they also said that much that the bills were asking to have done had already been accomplished by the record of this government.

In responses to the very many environmental groups and individuals who wrote to the minister urging him to support my previous environmental bill of rights, the minister spelled out quite clearly, as he is wont to do, how much he had accomplished in the time he had been in office. He spelled out the areas where he felt his actions had already superseded the requirements of the original environmental bills of rights.

He said, "In this regard, penalty provisions under the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act have been increased, a computerized system

to record and track complaints is being set up, a comprehensive policy on public consultation is under development."

"In addition," said the Minister of the Environment (Mr Bradley), "the Ministry of the Attorney General is in the process of formulating a policy for funding citizens in environmental hearings, and the freedom-of-information act, which comes into force in January 1988, gives citizens access to all government documents."

However, the minister went on to say that in keeping with the government's commitment to strong environmental legislation and recognizing an environmental bill of rights as an important initiative, he had supported my previous bills and looked forward to the bill being brought before the standing committee on resources development for review, and he was confident the legislation would be improved and strengthened by this review.

That letter was written 26 January 1988 to the Federation of Ontario Naturalists.

Unfortunately, what happened was that the resources committee was never able to schedule the time to have that detailed review. Somehow, the two days of public hearings I had requested of the committee could never be fitted in. So, working very closely with the Canadian Environmental Law Association and with significant assistance from legislative counsel, what I have introduced today is a new and improved bill of rights that takes into account the comments of the Minister of the Environment.

Members will notice that I have deleted from the bill that is before us today the section on access to information, which as the minister quite correctly pointed out has already been enacted elsewhere, and the section on intervenor funding. I deleted that section with some reserve because I am concerned that the intervenor funding program that is in place is only a pilot project and is fairly limited in its application. My purpose was to try to avoid any further objections from the minister and to give him a bill that he felt he could support unreservedly.

The section on class actions has been greatly simplified to take into account discussions that I know the Attorney General (Mr Scott) is having around legislation the government might introduce in that regard. The bill has been streamlined and updated and has taken into account those actions already taken by this government.

The bill has, however, been significantly strengthened by incorporating the whole concept of sustainable development, the concept first enunciated by the Brundtland commission, with

which all members are familiar, and a concept supported in another private members' debate when the House adopted a resolution supporting the principles of the Brundtland commission.

Another significant change in my bill is the section on employee rights, which has been changed to reflect those sections of the Environmental Protection Act that already give employees the right to refuse to pollute. There was an inconsistency between the provisions in my original bill and the existing Environmental Protection Act and the new bill removes that inconsistency.

Having worked to remove the objections the government had, I hope I will now have its full-scale support and that we will move, as I say, beyond second reading. There is certainly in the community—the environmental groups, the trade union movement and citizens' groups—widespread support for a piece of legislation such as I have introduced today. Letters in support of a bill of rights to the minister, to members of the resources committee and to members on all sides of this House demonstrate that groups, whether their primary concern is a local issue or whether it is a more general environmental group looking at the whole aspect of how we can protect and improve our environment, feel that a fundamental tool that is required is an environmental bill of rights.

I was interested to find that in a recent newsletter from the Ontario Waste Management Corp based on a speech given by Dr Chant, there was significant support for just what I am suggesting today. That newsletter in May 1989 was entitled *Environment and the Law* and was introduced by a sentence that says:

"One of the most important policy issues facing Ontario or any jurisdiction concerns the protection of the environment and the role of the legal profession in safeguarding human health and quality of life."

It goes on to point out the complexity and the immense scale of the environmental problems facing us today and points out in conclusion that: "the role of the judiciary and the legal system is becoming one of the major issues on the environmental agenda. There are a number of possible improvements in both form and content that could improve the resolution of environmental disputes."

As the first of those resolutions, the OWMC newsletter points to intervenor funding, and as I have said, we now have a limited system of intervenor funding in place in this province.

Second, to quote from the newsletter, they say: "The idea of an environmental bill of rights warrants careful consideration. It could open the door to class actions on environmental issues, as can be done in the United States. Why should an individual not be able to sue on behalf of the environment, whether or not all people are suffering exactly the same damage? The courts long ago learned how to protect themselves against frivolous actions in civil litigation matters. They could easily do the same on environmental matters."

There are concrete examples in this province that were given at a press conference just last Friday by representatives of Greenpeace, examples where in Cornwall, in the Kimberly-Clark pulp and paper mill on Moberley Bay and in the Algoma Steel Corp in Sault Ste Marie, cases of pollution, of not adhering to regulations, of the regulations not being tough enough to really protect the environment, are not being acted upon by the Minister of the Environment, but cases where, as Greenpeace said, if there had been an environmental bill of rights, citizens or environmental organizations could have taken action in order to prevent these things from happening.

I think the time has come in this province not just to support an environmental bill of rights in principle in private members' hour on second reading, but to support sending that bill on to the standing committee on resources development and then making sure that the majority of the members on that committee vote to set aside time to have deputations, to listen to the concerns that will be expressed on all sides about the implications of a bill of rights and to work constructively to improve the private member's bill I have introduced today—I am sure it is capable of being improved—but to make sure we move forward and put in place a piece of legislation that will give the people of this province what they are asking for, the right to a clean environment.

Mrs Marland: I take pleasure in rising today on behalf of the Progressive Conservative caucus to support this bill. Obviously, I am doing it in the same capacity as Environment critic for the Progressive Conservative caucus as I did when I rose to support Bill 13, the member for Etobicoke-Lakeshore's predecessor bill, last fall.

1120

Currently, individual citizens do not have a right to take legal action against a polluter in Ontario courts. The public does have the right to prosecute a polluter for violations of a provincial

law, but the process is extremely difficult. A civil suit can be filed against a polluter only if the plaintiff can prove personal loss and damage. Environmentalists believe that Bill 12 will make it much easier for citizens to fight pollution when the government chooses not to.

Concerns have been raised that a bill of rights would lead to a floodgate of claims and many would be of dubious validity.

The experience in Michigan, which passed the Michigan Environmental Protection Act in 1970, an act which is very similar to this one, has in fact been positive. In its first 13 years, a total of 185 actions involving the Michigan Environmental Protection Act had been filed with the courts or with the state administrative agencies.

In the words of Paul Muldoon of the Canadian Environmental Law Association: "When we look at the United States jurisdictions with an environmental bill of rights, there has not been a flood of cases. The vast majority are full of merit and worthy to be brought before the courts."

Bill 12 clarifies and strengthens the wording of the provisions which were present in the previous bill, Bill 13, and deletes provisions which have already been acted on by the government through other pieces of legislation.

Under section 2, the bill's purpose is now clearly stated, "To ensure the health and sustainability of the environment of Ontario and...to recognize the right of the people of Ontario to an environment that is adequate for their health and wellbeing and sustainable into the future."

This section is as a result of the influence of the 1987 Brundtland report prepared by the World Commission on Environment and Development which supported the goal of sustainable economic development. Sustainable development is defined as development that ensures that the use of resources and the environment today does not damage prospects for their use by future generations. I think that is a very simple goal for everyone, and a very obvious one.

Bill 12 would also allow individuals to take polluters to court even though they were not directly affected by the actions of the polluter. Establishing a *prima facie* case against the polluter is notoriously difficult. It would make it easier and require polluters to provide an explanation for their actions. It would allow an action to be brought in the Supreme Court of Ontario as a civil matter against polluters.

It would give workers greater protection from reprisals if they refuse work orders to pollute or report an act of pollution by an employer. It would also provide for public notice and review

of certain approvals, permits and other environment-related orders before they come into force.

I think it is significant that we look for a few moments at the Liberal record in terms of the Liberal Party, not the Liberal government.

This is actually the 10th anniversary of the introduction of an environmental bill of rights. The first introduction was by Dr Stuart Smith, who was then, in 1979, the Liberal opposition leader. During the second reading of his bill, Bill 185, An Act respecting Environmental Rights in Ontario, Dr Smith stated: "What we do to our environment, the kind of planet we leave for our children and the children who follow them is something that is very real, it's something people will be able to look back on and either thank us for or blame us for, depending on the actions we take."

Dr Smith also said, "The occasion to debate this particular bill is one of very real importance to me and I believe it will go down as a day of some importance in the history of people's attempt to come to grips with the industrial age and to make this planet a liveable situation for generations to follow us." I think the sentiments, obviously, of Dr Stuart Smith, are sentiments which we would all support and believe in.

The member for Bruce reintroduced Dr Smith's bill in 1982, three years later. During debate on the bill in the standing committee on resources development on 1 June 1982, the member stated: "Let me make the Liberal Party's position quite clear. I have introduced a bill entitled, the Ontario Environmental Rights Bill. The bill is an updated version of the bill introduced by my former leader. It provides for access to government information on pollutant emissions and places a burden of proof on polluters. Furthermore, it will allow a citizen to sue a polluter in cases where the government refused to do so."

I think that background of the Liberal Party's position on this kind of bill in Ontario speaks for itself. Therefore, I am quite sure we will experience again, this morning, the unanimous support of the House for Bill 12, because as we know, we did sustain that support on 10 December 1987 when Bill 13, the predecessor, was passed on second reading. It has been very interesting, as the mover of this bill said this morning, how we waited, both of us, with eager anticipation, as members of the resources development committee, for that bill to be placed before that committee. It is amazing how, since 1987, we have not had any time allocated by the Liberal government House leader to make sure

the environmental bill of rights did, in fact, get the hearing for which it was referred to that committee. We certainly hope that will change this morning.

I would like to say that when I supported that bill on 10 December 1987, in identifying one of the objectives of the bill as establishing the government as a trustee of public lands, I did say that we have to be sure the government can act in the public interest in preserving the ecological and environmentally special areas. I also said that I supported the provisions which broadened the right to sue beyond those who had suffered direct personal harm, and I stated that this bill will allow actions that have the interests of future generations at heart.

One other comment I would like to read into the record here this morning is that Paul Muldoon of the Canadian Environmental Law Association has indicated support for the bill in principle, but suggested that there were several technical errors that should have been cleaned up. He has also expressed concern over the removal of the intervener funding provisions, but he also recognizes why that happened, as do I, that would then construe the bill as being a money bill. Obviously it is not the privilege of those of us in opposition to present bills that include policies dealing with money and funding. However, I think it is terribly important that intervener funding be part of the ongoing legislation of any government of this province. I also think that when Mr Muldoon suggested that citizens be given the right to review a standard periodically to account for changes in technology and setting standards, that is another important aspect that should be considered.

In closing my comments this morning, I want to say that we will look forward to hearing from all parties who are interested in this subject in the very near future, when this bill is referred to the resources development committee, successfully this time.

1130

Mr McClelland: The concept of an environmental bill of rights is something which I personally very strongly support. I am also very pleased to see that the statement of purpose of this bill presented today adopts the principle of sustainable development. The Brundtland commission on environment and economy has focused world attention on the interdependence of the economy and our fragile environment. There is increasing evidence that we face dire consequences if we cannot redirect our economic

aspirations towards environmentally sustainable development.

Ontario's support for that principle, the principle of sustainable development, was made evident last fall through the announcement by the Premier (Mr Peterson) of the Ontario Round Table on Environment and Economy. The round table will not only be an adviser to government, but an influence on all sectors of society and a catalyst for projects which demonstrate the viability of environmentally sound development.

The government also supported Bill 13, the previous incarnation of the current Bill 12. In fact, the two bills are in large measure the same. The need for a new, improved bill has arisen because several key parts of Bill 13 were rendered redundant as a consequence of policies adopted in legislation passed by this government, in addition to the changes that we have realized over the past number of years and the new realities in terms of environmental law and the environmental concerns that we share as a society.

For example, with respect to some of the legislation that has been passed by our government, section 15 of Bill 13 dealt with access to information. That issue is already comprehensively addressed by the Freedom of Information and Protection of Privacy Act. The freedom-of-information act took effect on 1 January 1988. That act ensures that disclosure is the rule rather than the exception in Ontario now. In addition, the Occupational Health and Safety Act requires that information on toxic substances be made available in the workplace.

The environmental bill of rights proposes full public participation in environmental issues. The Ministry of the Environment has developed a public consultation process which recognizes and ensures the right of members of the public to have a meaningful role in environmental protection and management. The ministry uses a wide range of consultation activities to meet the needs of individuals, groups and communities. We have an open exchange of information, and that is a key part of this process.

The Ministry of the Environment has developed information and kits to help run effective public participation programs. Key people within the ministry are being trained in public participation skills so they can effectively respond to communities and work with communities. Public meetings are being held, by way of example, on control orders.

The ministry also publishes for public review all regulations proposed under the municipal-

industrial strategy for abatement, commonly known as MISA, the government's water clean-up program. Independent environmental experts on the MISA advisory committee also add a powerful public presence to this flagship of environmental reform.

Most major programs being proposed by the ministry are released for public comment. Examples include the white paper on MISA, the clean air program and the pesticides notification program. The Ministry of Natural Resources also has developed a public consultation policy under our government.

Another area where Bill 13 was overtaken by advance is the area of intervenor funding, and that has been referred to today. The Intervenor Funding Project Act was tabled by our Attorney General in June 1988 and has recently been proclaimed. That act provides funding to members of the public who act as interveners before selected administrative tribunals. The intent of that legislation is to enhance the process of public input by enabling interveners to participate in proceedings by providing financial assistance.

This act formalized the Ministry of the Environment's policy of providing intervenor funding, which had been in effect for the entire time our government has been in office. The government, by way of example, has recently provided \$450,000 to interveners in the class environmental assessment on timber management now under way in Thunder Bay. This is in addition to the \$300,000 that was already provided to interveners. Although characterized as "limited" by my good friend from Etobicoke-Lakeshore (Mrs Grier), I think that is a substantial contribution.

This government has also provided funds in other cases, such as the Petro-Sun/SNC incinerator hearing, the Derry Road bypass, the Halton landfill, and of course, the Ontario Waste Management Corp's proposed facility. Public access to government has been a major policy objective in Ontario since 1985, and the Intervenor Funding Project Act is a key instrument in this regard.

As I see it, one of the prime goals of an environmental bill of rights is to ensure that the polluter pays. While the government has been ensuring precisely that in Ontario over the past number of years, enforcement is the engine that drives environmental action in Ontario.

Ontario's environmental efforts punish polluters. The Ministry of the Environment is currently in the process of doubling the size of its investigations and enforcement branch. The

environmental laws themselves were strengthened in 1986 under the new penalties bill. Maximum daily fines were increased 10-fold for the most often used prosecutions, providing for fines of up to \$500,000 a day for the most serious offences. We also made it possible for judges to jail offenders for up to one year. We removed immunities that municipalities and government ministries and agencies had from Ontario pollution laws.

I think the results speak for themselves. In 1984-85, the year before this government took office, the Ontario Ministry of the Environment initiated 54 prosecutions in total. Since then, prosecutions have increased almost fourfold to 211 prosecutions in fiscal 1987-88. The 1988-89 fiscal year saw another increase in prosecutions.

Fines are increasing as well. As judges begin to exercise their prerogatives under the 1986 legislation, we see a dramatic increase in fines. Fines in the tens of thousands of dollars are no longer unusual events and six-figure fines are being levied ever more frequently by judges sensitive to the greater value society now places on a clean environment.

There are two other key sections of the environmental bill of rights which deal with the concepts of standing and class action. As noted by the member for Etobicoke-Lakeshore, I would also like to draw attention to the fact that these concepts are currently under consideration by the Ontario Law Reform Commission and our Attorney General. The Ontario Law Reform Commission should have a report on standing available this summer. That will be a very useful analysis of this issue and will be carefully reviewed by our government. The Attorney General has also been reviewing the concept of class action in Ontario generally, and the concept of class action may have much wider application than strictly the environmental field.

The environmental bill of rights which has been introduced today by our friend from Etobicoke-Lakeshore is a valuable initiative and one which we as a government support very strongly in its principle and in its concept.

Ms Bryden: This is a very important private member's bill before us.

I would remind the House that in 1980, I introduced the first bill calling for the establishment of an environmental Magna Carta, which is very similar in concept to the environmental bills of rights that have come in recent years. The member for York South (Mr B. Rae) and all my successors as Environment critics have introduced such bills and all of them have been de-

feated. The bill from the member for Etobicoke-Lakeshore is the latest recognition of the pressing need for an environmental bill of rights.

We have been reminded that Stuart Smith and the member for Bruce introduced environmental bills of rights. They were members of the Liberal Party, one of them, Dr Smith, when it was in opposition and one of them since this government took over. So there is good reason for the members opposite to support this bill and to admit that not only has its time come, but it is long overdue.

Environmental polls show that large majorities support strong action to protect our environment and maintain a healthy environment for all of us and for future generations.

This bill will permit individuals to sue the government or government agencies if they feel their environment has been degraded. It is an important step in making governments accountable if they fail to protect the environment. Such suits are allowed in the United States. Why are we waiting so long in this province? I certainly intend to support this bill

1140

In Ontario, we do not even allow class actions by groups who feel that they have been harmed by government failures to stop environmental pollution and degradation. They still have to prove a monetary loss for each person affected in any sort of group action. This bill has a separate clause on class actions, which, along with class-action legislation, is very necessary and which we hope the Attorney General will bring in soon.

The only action that could be taken against a government official was to charge the person with a violation of the Environmental Protection Act. This act was supposed to be our flagship act on environmental protection. It was introduced by the Progressive Conservative government. Unfortunately, it has not been changed very much by the Liberal government.

It has proved to be more of a paper tiger than we would have liked. It established an environmental assessment process which was supposed to require public hearings if there were serious objections to any proposal affecting the environment, but there were several flaws in the process. First of all, most of the environmental hearings have been a David-and-Goliath exercise without sufficient intervenor funding for the groups opposing the actions of governments and proponents of proposals which affect the environment.

It has been weak in enforcement. The Minister of Transportation and Communications in 1981

was actually charged with failure to comply with the act because he did not submit proposed highway plans to environmental assessment. He was actually fined. Perhaps he should have gone to jail. That is the only way in which the objectives of the environmental protection legislation could be enforced. This will be another and better way, more open to the public to participate.

Another thing that is lacking is the public disclosure of plans, proposals and inspection results. The new Freedom of Information and Protection of Privacy Act may help to get some of this material, but it is still a cumbersome and costly process and fairly new in operation.

The exemptions from environmental assessment, which were given frequently by both the Progressive Conservative and Liberal governments, have been a very great weakness in that environmental protection legislation. The persons granting those exemptions would, under this act, be required to justify them more precisely and with public input before they are granted.

Bill 12 also provides for public notice and review of certain approvals, permits or other environment-related orders before the approvals, permits or orders come into force and for regular review by the Environmental Assessment Board of all regulations affecting the environment. This is a very important section. In the past, the people affected by all these orders often did not find out about them until they were passed and in effect. It is difficult to get them amended in such circumstances.

Another very important provision in the bill is the new section 5, which deals with employee rights and prohibits an employer from disciplining or dismissing an employee who reports to any person an act that contaminates or degrades the environment.

One of my first cases after I was elected in 1985 was a complaint from a constituent who had the courage to report a serious environmental violation by a local factory where he worked. The employer was permitting toxic fluids from the operation to be discharged into a ditch which flowed into a nearby river. The employee had protested this action to the employer as being environmentally degrading, but he was told it was none of his business.

When he did report the action to the environmental authorities in the city and in the province, he lost his job. This act would prevent not only dismissal in such cases, but any kind of

disciplinary action, threat or intimidation of the employee. This is a very necessary section.

It is time the Liberal members took the stand which was endorsed by 89 per cent of all candidates in the last provincial election. It is time the government moved beyond lipservice to protect our environment by putting in the kind of legislation which will make the government and government agencies accountable for actions and regulations which fail to protect our environment.

It will not hamper sustainable development, but will enable the public to be an active partner in ensuring that all environmental issues and development of a healthy environment are considered in all development plans. This is the most important part of the bill, I think, to make sure that environmental considerations have equal place with all other considerations in development plans.

I would urge all members of the House to support Bill 12 and I hope that once it has passed second reading, the government will quickly bring it forward for third reading, so that we will not wait any longer for this very important kind of legislation.

Mr McLean: I am pleased to have this opportunity to participate in this debate on a private member's bill concerning environmental rights in Ontario.

As members are no doubt aware, Bill 12, An Act respecting Environmental Rights in Ontario, permits an action to be brought in the Supreme Court of Ontario by any person for the protection of the environment. The bill also provides for public notice and review of certain approvals, permits or other environment-related orders before the approvals, permits or orders come into force, and for regular review by the Environmental Assessment Board of all regulations affecting the environment.

In addition, the bill prohibits an employer from dismissing an employee who reports to any person an act that contaminates or degrades the environment. This bill also amends the Environmental Protection Act to expand the scope of the protection provided to employees who refuse to pollute, by adding several statutes to the list set out in subsection 134b(2) of that act.

As I said earlier, this new environmental bill of rights permits an action to be brought before the Supreme Court of Ontario by any person for the protection of the environment in the civil court, rather than the criminal court, thereby lowering the required standard of proof from "beyond a reasonable doubt" to "on the balance of prob-

abilities" and making the establishment of the case much easier. Under this bill, defendant polluters will no longer be afforded a defence of failure to establish a causal link when it is clear that they, as a segment of multiple polluters, are discharging similar contaminants.

Where no standards exist for the control of the discharge of a particular contaminant—an example is the discharge of vinyl chloride—the act is intended to provide an independent cause of action to an individual and the courts may set interim standards for unregulated contaminants.

The bill also provides for public notice and review of certain approvals, permits or other environment-related orders before the approvals, permits or orders come into force, and for regular review by the Environmental Assessment Board of all regulations affecting the environment. In addition, the bill prohibits an employer from dismissing an employee for reporting to any person an act that contaminates or degrades our environment.

Under section 2, the bill's purpose is now clearly stated: "...to ensure the health and sustainability of the environment of Ontario" and to "...recognize the right of the people of Ontario to an environment that is adequate for their health and wellbeing and sustainable into the future." This is a result of the influence of the 1987 Brundtland report and does not alter the impact of this bill.

1150

This bill also amends the Environmental Protection Act to expand the scope of the protection provided to employees who refuse to pollute, by adding several statutes to the list set out in subsection 134b(2) of that act. This subsection states that no employer shall dismiss, discipline, penalize or intimidate an employee because that employee has complied with the Environmental Protection Act and Environmental Assessment Act, the Fisheries Act of Canada, the Ontario Water Resources Act or the Pesticides Act.

Bill 12 adds the Conservation Authorities Act, the Consolidated Hearings Act, 1981, the Drainage Act, the Lakes and Rivers Improvement Act, the Mining Act, the Niagara Escarpment Planning and Development Act, the Ontario Waste Management Corporation Act, 1981, the Pits and Quarries Control Act and the Planning Act, 1983.

I would like to state categorically that I support Bill 12, An Act respecting Environmental Rights in Ontario, because we must ensure that the government can act in the public interest in

preserving the ecological and environmentally special areas.

I am pleased to see that the member for Etobicoke-Lakeshore has shown a clear interest in the protection and preservation of our precious environment, which she has shown for a long time, by introducing Bill 12, An Act respecting Environmental Rights in Ontario, because the government, through the Minister of the Environment, has clearly not shared the same concerns in the past. What we get from the Minister of the Environment are half-baked schemes such as the Cleantario lottery fund and recycled promises that are rarely acted on.

I must admit that Bingo Bradley does an excellent job of talking about the subject whenever he is questioned about what he proposes to do to protect and preserve our fragile environment for future generations in this province, but what he says and what he actually does only amount to a hill of garbage.

The throne speech also makes reference to the government establishing a comprehensive waste reduction strategy aimed at reducing solid waste by 50 per cent by the year 2000. This reference was only a reannouncement of a recent recycling strategy which includes mandatory recycling. Nothing has happened since, and it should be noted that mandatory recycling was something the same government voted against, when my colleague the member for Mississauga South (Mrs Marland) proposed it in her private member's bill last fall.

Bill 12 is a breath of fresh air from my colleague the member for Etobicoke-Lakeshore, because the government has failed miserably in the environmental area. The government's efforts to solve the garbage disposal crisis facing the greater Toronto area have resulted in pitting one neighbouring region against another and a threat to short circuit the process for environmental assessment.

In conclusion, I would like to repeat that I will be supporting second reading of Bill 12, An Act respecting Environmental Rights in Ontario, because I believe it is important that we provide employees with some form of protection if they are to report an act that contaminates or degrades the precious environment of Ontario. If the government expects people to do its job, then we must give them protection.

As well, I sincerely believe this bill will go a long way towards ensuring the health and sustainability of Ontario's environment, and it will recognize the right of the people in this province to an environment that is adequate for

their health and wellbeing and is sustainable into the future.

Ms Hart: I am pleased to participate in this debate, as I am a strong supporter of the concept of an environmental bill of rights. Control of pollution and a greater role for the public in protecting the environment are top priorities for me.

In fact, Bill 12, which we have before us today, is a reworked version of Bill 13, which I supported at first and second readings. Liberals have promoted environmental rights legislation ever since Stuart Smith introduced the first version of this bill in 1979, and we still support it.

Because the government has been moving forward quickly to enact tough environmental legislation, this bill had to be revised to reflect these changes. For example, Bill 12, as tabled by the honourable member for Etobicoke-Lakeshore, is advertised as giving citizens the right to go to court to protect the environment where damage is being done. I must point out that in December 1986, Bill 112 was enacted to broaden and increase the penalty provisions of the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act, and applies in private prosecutions as well as ministry prosecutions. Bill 112 also eliminated crown immunity under the Ontario Water Resources Act.

Bill 12 is also described as protecting workers from reprisals if they release information about pollution or if they refuse to do work that they believe violates environmental laws. In fact, since 1983, under the Environmental Protection Act, workers have had the right to report any environmental concerns over their employers to the Ontario Labour Relations Board. According to this whistle-blowing provision, section 134b, it is an offence to prevent employees from complying with any of the environmental acts or to prevent employees from co-operating with the enforcement of the acts.

Ontario employees are using this right and are turning over records of illegal activities to the government. Companies are being sued for improper dismissal when they fire whistle-blowing employees. Companies and individuals in the province have taken notice of the active enforcement of environmental laws and are reacting accordingly. The Ministry of the Environment receives a great many inquiries from companies that are voluntarily coming forward to ensure that their activities meet the requirements of the law. Many companies are doing environmental audits to ensure compliance with

Ontario's laws. This is new; it has not happened in the past. This new corporate attitude tells us that vigorous enforcement is getting out the right message.

Mrs Grier: Let me start by thanking the members who have participated in this debate today and by saying how much I appreciate the support on all sides for the principles of the bill that is before us.

I hope that acknowledgement will not be diminished if I say that I rather regret the fact that the member for Brampton North (Mr McClelland), the parliamentary assistant to the Minister of the Environment, used his time in the usual rather self-congratulatory litany of progress that has been made. I acknowledge that in my comments; I know that progress has been made. This act reflects that by having eliminated some of those areas that have already been dealt with. But it does not eliminate the need for legislation of this kind and I would have liked to have seen some debate on the various things that are left in the bill, rather than acknowledgement of those that have been removed.

The Canadian Institute for Environmental Law and Policy was very clear in its press release last week, saying that a number of barriers still exist which prevent citizens from halting polluting activities which impair the quality of the environment, such as the ability to ask the court to prevent pollution damage.

In other instances the public remains excluded from many important environmental decisions such as the granting of pollution permits. The provisions that give citizens the power to go to court without having to prove their standing are contained in this act and are still required.

The parliamentary assistant to the minister talked at length about the improved public consultation process that we have and I acknowledge that. But there are many ways in which that public consultation process is avoided. Let me speak of an instance with which I am very familiar and which is dear to my heart in my own riding. I had asked the minister for environmental assessment of a major project to be constructed on the waterfront, which involves lake-filling and a lot of changes in the shoreline in an area that is already seriously contaminated. The minister refused an environmental assessment but said that the city of Etobicoke should prepare an environmental management master plan, the terms of reference of which would have to be approved by the Minister of the Environment.

Those terms of reference make no mention of public consultation. If we had had it designated

under the Environmental Assessment Act, yes, I agree, there would have been lots of opportunities for public consultation. But for the minister to get around that act and to put in place a process to define public amenities on the waterfront and to exclude from that consideration any public consultation or public process, I think shows how weak are some of the safeguards that do exist in the legislation that we have.

1200

I am going to ask that this private member's bill be referred to the standing committee on resources development, because I acknowledge, as did the members of the government who have spoken, that there are areas where it could be changed, improved and strengthened. I think that is the reason for sending it to a committee, so that people who agree with the principle but have these problems with the details, and people who disagree with the principles, can come and make their concerns heard. We can, as I said before, emerge from that process with a strengthened bill, with an improved bill, and with a bill which really gives the citizens of this province the rights they demand.

The Speaker: It appears that this completes the comments on the two items before the House this morning.

1205

GREAT LAKES FISHERY

The House divided on Mr J. M. Johnson's resolution 13, which was negatived on the following vote:

Ayes

Adams, Allen, Brandt, Bryden, Callahan, Charlton, Cooke, D. R., Cousens, Dietsch, Ferraro, Harris, Jackson, Johnson, J. M., Johnston, R. F., Keyes, Lupusella, Mahoney, Marland, Martel, McClelland, McLean, Philip, Runciman, Sterling, Villeneuve, Wilson.

Nays

Ballinger, Black, Bossy, Carrothers, Chiarelli, Collins, Cooke, D. S., Elliot, Epp, Faubert, Fawcett, Fleet, Grier, Hart, Henderson, LeBourdais, Lipsett, Mancini, Matrundola, McGuigan, Miller, Nicholas, Nixon, J. B., Oddie Munro, O'Neill, Y., Pelissero, Pouliot, Ray, M. C., Reycraft, Roberts, Ruprecht, Sola, Sullivan, Wildman.

Ayes 26; nays 34.

The Speaker: We will now deal with ballot item 12.

ONTARIO ENVIRONMENTAL RIGHTS ACT, 1989

The House divided on Mrs Grier's motion for second reading of Bill 12, which was agreed to on the following vote:

Ayes

Adams, Allen, Ballinger, Black, Bossy, Bradley, Brandt, Breagh, Bryden, Callahan, Carrothers, Charlton, Chiarelli, Collins, Cooke, D. R., Cooke, D. S., Cordiano, Cousens, Dietsch, Elliot, Epp, Faubert, Fawcett, Ferraro, Fleet, Grier, Harris, Hart, Henderson, Jackson, Johnson, J. M., Johnston, R. F., Keyes, LeBourdais, Lipsett, Lupusella, Mahoney, Mancini, Marland, Martel, Matrundola, McClelland, McGuigan, McLean, Miller, Morin-Strom, Nicholas, Nixon, J. B., O'Neill, Y., Oddie Munro, Pelissero, Philip, Polsinelli, Pouliot, Rae, B., Ray, M. C., Reycraft, Roberts, Ruprecht, Sola, South, Sterling, Sullivan, Villeneuve, Wildman, Wilson.

Ayes 66; nays 0.

The Speaker: I declare the motion carried, and have some concern about the Speaker's hearing.

Mrs Grier: Could I ask that the bill be referred to the standing committee on resources development?

Interjections.

Mr R. F. Johnston: What? Shutting out the public? My, you guys are getting arrogant.

The Speaker: Order. The member for Scarborough West has not been asked for any comment at the moment.

I will remind members that standing order 71 states that a private member's public bill shall be sent to committee of the whole House, unless a majority of the House decides otherwise.

Mr Wildman: It was 66 to 0.

The Speaker: Order.

Mr B. Rae: His hearing seems okay. It's his voice that doesn't work, in my opinion.

The Speaker: Mine, either.

It has been requested that it go to a standing committee. Therefore, I will have to ask all members in favour of its going to the standing committee to please rise until the heads are counted.

All those opposed to its going to a standing committee will please rise.

Ayes 22; nays 44.

Bill ordered for committee of the whole House.

The House recessed at 1221.

AFTERNOON SITTING

The House resumed at 1330.

ANNUAL REPORT,
COMMISSION ON ELECTION FINANCES

The Speaker: I wish to inform the House that I have today laid upon the table the 14th annual report of the Commission on Election Finances. The members will find copies of these reports in their desks.

ANNUAL REPORT,
OFFICE OF THE OMBUDSMAN

The Speaker: I also wish to inform the House that I have laid upon the table the 16th annual report of the Ombudsman of Ontario. These reports will be found in members' mailboxes.

MEMBERS' STATEMENTS

HOME CARE

Mr Allen: Visiting homemakers are fed up with endless delays and the meaningless promises of this government in dealing with their scandalously low wages. The inability of the government to come to grips with this issue is indeed staggering. When pushed against the wall last January, the government capitulated and announced it would cover the deficits of the visiting homemakers agencies.

The auditors appointed submitted their report four months ago and not a penny has been sent to the agencies to meet these deficits. The latest promise was made on 23 May by the Minister of Community and Social Services (Mr Sweeney), when he announced additional funding for visiting homemakers and other community-based agencies. Not a peep has been heard from the ministry in the intervening five weeks. There has not been a single consultation with home-making agencies about how the \$25 million earmarked for their programs is to be distributed or how the rates will be restructured.

The ministry continues to excuse its paralysis by saying it is studying more reports. The government has been studying this issue since 1986. After three years, it is no closer to providing a realistic and stable funding base for the agencies, which are, in the Premier's words, "the cornerstone of the government's community services strategy."

If the government put the money it spends on studies and consultants into the pockets of visiting homemakers, these would be a good deal

better off. It has taken more than three years to bring even the promise of a \$3.33-per-hour increase. Who knows how long it is going to take to reach homemakers? When is this government going to cut back on rhetoric and speed up on delivery?

ACADEMIC STREAMING

Mr Jackson: On 26 April, the Minister of Education (Mr Ward) announced that within three years students would no longer be streamed in grade 9. In the interim, 10 destreaming pilot projects would be launched at a cost of \$100,000 each to assist in the development of an appropriate curriculum and on an implementation strategy.

Two months have now passed and we have heard nothing from the ministry. No one knows the structure or location of these pilot projects, which will have to be constituted and evaluated in the space of one year. The only concrete example of a destreaming model has been proposed by the Toronto Board of Education on its own initiative. Their Castle Frank proposal outlines the need for additional staff and resources to train teachers and develop curriculum materials. Implementing destreaming is yet another example of a Liberal government-mandated program being foisted on to already financially burdened school boards.

Progressive Conservatives strongly argue for the protection and support of vocational schools and their current programs. When the select committee on education recommended destreaming of grade 9 students, it outlined a number of vital preconditions. Streaming decisions would have to be made at the local level. Parents, teachers, trustees and administrators all would have to be consulted. However, the ministry has failed to heed this advice.

Today, I will table over 7,000 signatures on a petition from friends and families of Western Secondary School in Essex county. They are convinced this government is proceeding without consultation on a political agenda, not an educational agenda, for Ontario's vocational schools.

EDITORIAL CARTOON

Mr Pelissero: I rise today to register my objection to the editorial cartoon in this morning's Toronto Sun, Donato's depiction of two Chinese leaders opening their mail and remark-

ing, "Hundreds of letters from world leaders condemning us for our treatment of the dissidents...there is however one of praise from a Premier David Peterson." I find this not only offensive and in extremely poor taste, but a blatant example of a medium gone too far.

This editorial crosses way over the line that separates satirical but responsible editorial commentary from that which attempts to make light of a tragic situation such as the one in China. To even imply that there is a single person in this province or in this country, particularly the Premier, who could condone the suppressive actions taken against dissidents seeking democracy is a travesty that could not and should not be considered responsible journalism.

The sentiments expressed by the Sun's editorial cartoon do a tremendous disservice to the memory of the students who were massacred in their quest for reform and democracy. We are fortunate in this country that we have media that are free to report information, provide valuable insights, and from time to time, help us to find satire and humour in events affecting our daily lives, but the editorial cartoon to which I am referring today represents a gross abuse of that freedom by exploiting an extremely serious and very tragic situation.

I am sure all members of this House share my deep concern and wish to send a message that this type of journalism is offensive and unacceptable.

CANCER TREATMENT

Miss Martel: The history of the development of the cancer treatment centre in Sudbury has often been fraught with difficulties, frustrations and delays. Most recently, the issue boiled up again with the controversy surrounding Dr. Ho and the obstinacy of the College of Physicians and Surgeons of Ontario to give him a temporary licence to practise in Sudbury. However last Friday, the centre and the community got a big boost with a major fund-raiser organized by the United Steelworkers, Local 6500.

Beginning at 5:30 am, executive members of the local and stewards of the various plants gathered at all the gates to collect donations from members for the cancer centre. They returned to the gates for the second shift and repeated efforts to collect funds from individual members to demonstrate support for the centre. That evening, a casino night was held at the Steel hall, and the proceeds raised were also donated to the same cause.

As of today, some \$97,000 has been collected. This includes donations at the gates, a matching

contribution by Inco, \$2,000 collected by the Canadian Union of Mine, Mill and Smelter Workers at its gates, a large contribution from moneys previously negotiated between Mine, Mill and Falconbridge, and proceeds from the casino night. The response was overwhelming and the event a tremendous success.

Many thanks must go to Thorne Ernst and Whinney for tallying the results, to Labatt's for its generous donation, to the people at Laurentian Hospital for all their work at the casino, and a special thanks to all who gave so willingly to the cancer treatment centre.

COMMERCIAL CONCENTRATION LEVY

Mr Jackson: There seems to be some confusion over this government's handling of the 17 May budget's commercial concentration levy, or its parking lot tax. I dare say this confusion is a direct result of the Liberal government's ability to tax, and not of its ability to govern. In my city, Burlington, staff now have no clue whether this applies to the city itself or not. If indeed it does, it could cost Burlington at least an additional \$250,000.

This regressive tax is aimed at parking lots within the new greater Toronto area, an ill-defined and arbitrary boundary of the Treasurer (Mr R. F. Nixon) that has neither precedent nor justification. The Liberal government has said Burlington should be included for planning purposes, but now we know that means it is to be included so the province can double-tax us.

When the Treasurer's budget was released, no one at all knew whether it applied to city-owned parking lots or not. A week after the budget, Burlington city officials were told it did not apply since the city's parking lots are to be considered a utility, and thus exempt. However, this week it once again seems that the city of Burlington's lots may not be exempt and a ruling is still pending.

When one takes into account this tax's devastating effect on businesses, especially a large mall's parking lots, it is plain for all to see that this government has declared war on business as well as property taxpayers. This government has deliberately avoided clearly defining this newest tax measure. It is a tactic designed to confuse and silence public criticism of the Treasurer's bill, and hence, the tax itself.

CANADA DAY

Mr Dietsch: On 1 July, communities across this country will celebrate Canada Day. In Niagara-on-the-Lake, Paul Heron and his com-

mittee has published a special edition called the Canada Day Gazette which outlines the celebrations being organized by the Canada Day committee and the Friends of Fort George. Jim Alexander and Katherine Heron, co-chairmen, along with their committee have planned a number of events in Simcoe Park that include Dixieland music, a barbershop quartet, face painting, a student drama production, a magic show and a fruit pie contest and sale, as well as a listening tent where stories selected by the town's chief librarian, Gerda Molson, will be read.

1340

The listening tent is an important focal point of our celebrations as part of Frontier College's "Read Canada" campaign. I will have the distinct pleasure of reading a number of Canadian stories to children aged four to eight. It is important to note that the Ministry of Skills Development has supported and encouraged this project as well as initiated its own projects to meet today's literacy challenges.

Furthermore, local politicians will assist us at the celebrity pop stand with all the profits going to the celebration. The day will conclude at Fort George at 8 pm with everyone's favourite, the fireworks display. In Niagara-on-the-Lake, proud citizens have banded together to celebrate Canada Day in their own unique way, and I believe these people should be commended for it is they who make this country great.

ACCESS TO CHILDREN IN CUSTODY

Mr Hampton: Earlier today, a large group of individuals held a press conference here at Queen's Park. They wanted to comment upon one piece of the government's legislative agenda, Bill 124, the legislation that is supposed to guarantee access and deal with custody and access disputes.

They had a number of things to say about the legislation. They said, first of all, that there are no figures and no studies indicating the need for the legislation. Second, they said that the legislation ignores the best interests of children. Third, it is bound to lead to greater conflict, not lessen the conflict between parents about their children. It distorts the legal process.

NORTHERN HEALTH SERVICES

Hon Mrs Caplan: On a point of order, Mr Speaker: I rise to correct the record for Hansard. I have had an opportunity to review my answer to the member for Rainy River (Mr Hampton) yesterday on the question of northern health services.

I would like to clarify that on the northern health manpower committee, which is a significant initiative of my ministry and this government, we made a commitment to consult widely with a number of organizations. I signed letters to those organizations asking them to submit recommendations. The organizations included district health councils and others in the north.

We have very recently received their recommendations. I hope to announce the names of committee members within the next few weeks when I am in northern Ontario and I will be communicating with the prospective members to confirm—

The Speaker: Thank you. That sounds like a point of personal explanation and it should not go into the debate at all.

Mr Hampton: On a point of order, Mr Speaker: I think what the minister is really doing is changing her answer from yesterday to a question that I posed in the House. If the minister is allowed to do that, I should be allowed a supplementary.

The Speaker: I certainly cannot allow you a supplementary now because we are not in question period. However, I am sure the member could ask a question.

Interjections.

The Speaker: Order. I do not know whether we should be debating this at this time. I think I would just say that all ministers should in the future consider very carefully whether it should be a request to the Speaker to have an opportunity to respond further, but that can only happen if the member takes the question to answer at a later time.

Hon Mr Phillips: Mr Speaker, I would like to seek unanimous consent of the House to make a statement regarding Canada Day.

The Speaker: Is there unanimous consent?

Agreed to.

CANADA DAY

FÊTE DU CANADA

Hon Mr Phillips: It is with great honour that I rise on behalf of the government to acknowledge a day of importance to all Canadians. I refer of course to Canada Day. This 1 July we will celebrate the 122nd anniversary of the nationhood of Canada.

One of the things we very much celebrate is the rich diversity of our nation. We have welcomed people from all over the world to realize their dreams here, many of them, frankly, to escape

the nightmare of history in their home countries. Canada is a multicultural and a multiracial nation. This alone is reason for us to celebrate.

Many Canadians have celebrated this reality, often by putting their thoughts into words. In fact, as I looked over the thoughts of various Canadians, I was struck by a thought of a previous Prime Minister, John Diefenbaker. He said some words that I thought were rather appropriate. He said, "I liken Canada to a garden...a garden into which have been transplanted the hardiest and the brightest flowers from many lands, each retaining in its new environment the best qualities for which it was loved and prized in its native land." I might add that this garden, in my opinion, is now in full bloom.

While this is an anniversary and a time to celebrate, it is also a time for reflection on what it means to all of us to be Canadian. Being a Canadian I hope means to have a sense of security and a sense of optimism. It means knowing our children will have a future that will allow them to achieve their dreams through hard work and commitment.

Being Canadian also means, importantly, having choices we must never forget. It means being able to choose how we choose to worship, how we want to raise our children and how we want to be governed. Many of us take these freedoms for granted and take the rights we enjoy for granted, but there is no room for complacency in these areas. Vigilance, compassion, tolerance and generosity must be our watchwords. These are values I am sure all Ontarians share and desire. It is that spirit we celebrate as Canadians and Ontarians this and every Canada Day.

I might say that when this holiday is over, we must carry that spirit with us throughout the year. We still have much work to do in building this country and this province. We must not rest by looking back or being satisfied with what we have done. We must, as we approach this Canada Day, look forward to much more to do.

Mr B. Rae: I am delighted to say a few words on the subject of our national day. We look forward very much to its celebration this weekend, as people from many walks of life do, on Saturday and of course on their day of rest for most people on Sunday when they will have a chance to be with their families, as well as on Monday when we will all be celebrating this day.

I think the remarks of the minister are entirely accurate and to be commended. We are a multicultural, multiracial society. I do not know if the minister was listening, but there was quite a

wonderful commentary on the radio this morning by a teacher who was contrasting the Winnipeg of her childhood with the Winnipeg of today and talking about the dramatic contrasts in our schools. As I was going by my own children's school, I was reflecting on the extent to which all our schools in much of Ontario have become like little United Nations in which we really are beginning to experience the vibrancy, as well of course as some of the problems, of being a multicultural, multiracial society.

I am sure all of us will take the message of the minister back to our constituencies or perhaps, dare I say, to our cottages as we have some time this weekend to be with our families and reflect on the importance of this day. We of course share in the minister's sentiments.

Nous célébrons tous aujourd'hui notre fête nationale, la fête du Canada. C'est là l'occasion de célébrer non seulement la diversité de notre pays mais, en même temps, tout ce que nous avons en commun. Nous vivons dans une société multiraciale et multiculturelle, où nous retrouvons nos deux langues officielles et où nous accueillons des millions de gens qui viennent de partout dans le monde pour partager notre merveilleux mode de vie.

Alors, c'est avec plaisir que nous célébrons cette journée.

1350

Mr Brandt: I am very pleased to have this opportunity to associate myself with the remarks of the minister in connection with Canada Day and the strength and diversification of our province in great part being built upon those from many countries of the world and from many ethnic and cultural backgrounds who will celebrate with us and who have come to this province and this country to be part of the building process that we have encouraged and which hopefully we, as parliamentarians, will continue to encourage in the days ahead.

On this, Canada's birthday, I think we have much to celebrate. When we look at the tremendous problems that so many parts of the world are engaged in, the tremendous difficulties that other nations and peoples face, I think we have a great deal to celebrate here.

I have said so often to friends and observers who have watched us during the parliamentary debates and during the course of question period in particular, when there are some negative remarks made about the kind of performance we engage in sometimes during the course of those particular activities, that perhaps one may not always agree with the way in which we proceed

politically as members of Parliament, but it is a lot better to do it the Canadian way, with words, than with bullets, as is the case in China at the moment and in some other countries where they resolve their political differences somewhat more harshly.

I really think that as we join together, all parties, and find this common ground on at least this issue that we can agree with, that this great province of ours is very much beholden to those Canadians who have come here from those various and different countries to be part of this great experiment of building a stronger Ontario and Canada, without reservation, I join with the minister in his efforts and the comments of the government in hoping that we can continue to build that kind of better Ontario in the years ahead. Congratulations.

STATEMENTS BY THE MINISTRY

CLASS ACTIONS

Hon Mr Scott: I wish to inform the House of the latest initiative in the ministry's program to improve access to civil justice for the people of Ontario.

As members will recall, last year the Ministry of the Attorney General hosted a conference on access to civil justice in which members of the public, together with lawyers and judges, reviewed the key issues affecting them as participants in the justice system. One of the strongest recommendations coming from that conference was that a class action remedy be created in Ontario.

For the benefit of members not familiar with the concept, class actions permit numerous individuals who have suffered a common wrong to seek redress in one lawsuit as a group, rather than in numerous lawsuits as individuals. Well-designed class action remedies can provide access to justice for individuals while economizing the use of limited court resources.

Examples of situations which lend themselves to a class action include the Mississauga train derailment, the Dalkon Shield case, mass environmental disasters and hazards, defective products and consumer losses arising from failure of, for example, health clubs.

In my view, it would be inappropriate to prepare legislation affecting so many people without the advice of business, environmentalists, lawyers and consumers. For that reason, I have established a formal consultation process involving representatives of the Canadian Federation of Independent Business, the Canadian Manufacturers' Association, the Retail Council

of Canada, the Ontario Chamber of Commerce, the Consumers' Association of Canada, the Canadian Environmental Law Association, Energy Probe, the Advocates' Society, the Canadian Bar Association and the Insurance Bureau of Canada.

To ensure that these consultations proceed in a timely and effective fashion, the government and all these groups have agreed to use a set of principles as a starting point. These principles will ensure that class actions are effective, treat plaintiffs and defendants in a fair and equitable manner and impose no unnecessary burdens on the courts. The principles the groups have acceded to, as a starting point, are as follows:

The class action remedy will include a structured certification procedure, in which a judge will screen potential class actions according to specific tests;

All class members who do not specifically opt out of the action will be included in it;

There will be a presumption that notice will be given to class members following certification, unless otherwise ordered by the court;

Class actions will be facilitated by a court-controlled contingency fee arrangement;

The Attorney General will play no special role in class actions, but will have the right to seek leave to intervene, as in any other civil matter;

If judgement is awarded against a defendant, but class members fail to come forward to obtain the damages to which they are entitled, the undistributed amount will be returned to the defendant following the expiry of the relevant limitation period, except with respect to environmental cases, which will be given further consideration by the advisory committee, made up as set out earlier.

The class action remedy we propose will be generic and will apply to all kinds of litigation. I expect that the consultation will begin this month. It will produce a detailed set of drafting instructions on the basis of which legislation will be prepared for consideration by cabinet and the House.

The government has made a firm commitment to make class actions, a remedy long sought by numerous groups, an integral part of the law of Ontario. Having established the main principles which will ensure an effective and balanced remedy, we are confident that our partners in this consultation process will assist us in the production of a class action remedy which will be a model for the 1990s and for the next century.

I hope that what I propose to say is not in breach of the rules. In the gallery today are

Douglas Ewart, the director of policy for the Ministry of the Attorney General, and one of his associate counsels, Michael Cochrane, who is in charge of the class action project just announced.

These two relatively young men are typical of the thousands of public service staff who work for the Ministry of the Attorney General and have made it over the last few years, I believe, the most progressive and liberal justice ministry in Canada and probably one of the most progressive in the history of our country.

From freedom of information and family law reform to court structural reform, judicial appointment review and class action, their record is extraordinary. This Attorney General is very proud to serve with them in a great work and I ask the House to acknowledge their presence today.

CROP INSURANCE

Hon Mr Riddell: As members of the House will recall, parts of Ontario were experiencing a drought at this time last year. This year however, the excessive rainfall has delayed the planting time and, in some areas, is lowering expectations for the 1989 crops.

Among the areas of the province most severely affected by the adverse weather are Niagara, Haldimand, Essex and Kent. In some of these areas farmers are just finishing their planting. It is for such reasons that a federal-provincial crop insurance program exists to assist farmers.

This year, I am pleased to note, an unprecedented number of farmers have enrolled in the Canada-Ontario crop insurance program. Nearly 55,000 insurance contracts were purchased, an increase of 48 per cent over the last year.

Excessive rainfall is among the natural hazards that crop insurance covers. Crop insurance provides compensation to farmers, when adverse weather prevents them from planting or seeding, through an unseeded acreage benefit.

This benefit will return farmers a payment of between \$50 and \$100 per acre, depending on their own yield and the price option system they have chosen.

In the light of this delayed planting schedule and of potential for lost crop yields, the Crop Insurance Commission of Ontario met yesterday and decided to extend the final planting date for crops such as corn and soybeans from 1 July 1989 to 5 July 1989.

According to the commission, this extension will allow sufficient time to seed, providing the weather is favourable.

The Ministry of Agriculture and Food adverse weather committee is monitoring the conditions

in affected areas, and our field staff are advising farmers on late planting.

1400

RESPONSES

CLASS ACTIONS

Mr Hampton: In responding to the statement by the Attorney General (Mr Scott), I want to say, first of all, that we are very much in favour of this initiative, but I also want to say that we have some concerns that it has taken this government this long to bring this forward when it knew four years ago that there were a number of groups—consumer groups, environmental groups and other organizations—which had advocated long and hard for this legislation. In fact, one of the glaring absences in the government's court reform agenda introduced two months ago was the absence of class action provisions. So we are pleased that the government has come forward belatedly with this proposal.

I have another concern. We know from the history of what goes on around here that legislative initiative is often introduced—for example, Bill 208—and then through the consultation process we receive word back that it is gradually being watered down. I want to assure the Attorney General that we will be watching very closely and very carefully to ensure that what comes of this is legislation which produces effective class action capability for consumer groups, for environmental groups, and for all of those folks who in the past have had definite problems in accessing the justice system in these kinds of disputes.

So I want to congratulate the Attorney General for belatedly bringing it forward. I want him to know that we will be watching very closely to ensure that it is indeed effective class action legislation.

Mr R. F. Johnston: It is symptomatic of the problems of this government and the methodology used in negotiations over the last number of months that on the last day of school today the Minister of Education (Mr Ward), without any statement in this House, would bring in amendments to the Teachers' Superannuation Act for the teachers of this province and then try to foist summer hearings on us. I thought I would make the statement—

The Speaker: Order. I am sure that members are aware that response time is the time to respond to the statements that have been made.

Mr Sterling: I am interested to see the Attorney General's announcements with regard

to class actions. I only hope that while listing all of these interested groups he will, for once perhaps, listen to all of the groups before determining what nature this law shall take. I believe that consultation is necessary with regard to this issue because there are many aspects to it that can come to the fore and there is much experience to learn from with regard to what kind of effect it can have on not only the consumer of our society but also on the business people in our province.

It is unfortunate that this Attorney General and this government would not listen within its own government with regard to the concerns that business has with this kind of law, and it is unfortunate, as I am told, that this is one of the very laws which the former Deputy Minister of Industry, Trade and Technology objected to or wanted to moderate. I am told that the former Deputy Minister of Industry, Trade and Technology might well have been asked to be dismissed on the basis of his opposition to some of the Attorney General's thrusts in this area and in other areas of the law.

It is unfortunate that this government has not had a champion for business. The Minister of Industry, Trade and Technology (Mr Kwinter) seems to be more interested in travelling to other parts of the world than in representing business with regard to policy that can affect business. Our party wants to have a reasonable law with regard to this whole area—reasonable for both sides, for consumers and for business.

Interjections.

The Speaker: Order.

Mr Sterling: We only hope that this Attorney General will listen to both sides of the debate before drawing his conclusions. We have not seen that exhibited in the past; we certainly hope we will see it with regard to this very important issue.

CROP INSURANCE

Mr Villeneuve: I also want to reply to the Minister of Agriculture and Food (Mr Riddell). It is about time that the minister noticed there was a drought last year and this year we have exactly the reverse. It is great to realize that the minister has followed the lead of the federal government and has added some flexibility to the crop insurance program, which needs to be revised.

However, part of the minister's job would be to make sure that the Ontario farmers get their share of federal funding. In that light, our livestock producers have been recognized as requiring some assistance.

However, the horticultural industry has been left out in the cold. The minister has not made appointments to the Ontario Producer Committee on the Canadian drought assistance program. We need to have people on there. The horticultural industry, and particularly the apple industry, in Ontario was hit very hard a number of years ago when trees were lost, and when your trees are not producing, the five-year average is not a very good average.

Therefore, I urge the minister to appoint some Ontario people to the producer committee. The Canadian drought assistance program is in place. Many millions of dollars from the federal level are available. The minister must make sure that we get our share.

I do not need to remind the minister that \$37 million budgeted and earmarked for agriculture last year went unspent. I tell the minister that our farmers do need some assistance. He should do his job and make those appointments to make sure that we are looked after from federal funds, because according to the statement he made yesterday, he will not be providing any funds from Ontario. The minister should do his job.

The Speaker: That completes the allotted time for ministerial statements and responses.

Interjections.

The Speaker: I said, that completes the allotted time for ministerial statements and responses.

ORAL QUESTIONS

PATRICIA STARR

Mr B. Rae: A visitor to the corner of Neilson Road and Sewells Road discovers that there is a church, the Malvern Presbyterian Church; there is the Malvern Family Resource Centre; there is the Rouge Valley Co-operative Homes; there is the Tapscott Village Co-Op; the Carriage House; Tapscott apartments; and Malvern Town Centre, a very large mall.

My question to the Minister of Housing is simply this: Her predecessor turned down a 250-unit apartment building for homeless people because he alleged that there were no services in the area. There are in fact services in the area. I wonder if the minister can tell us: Why did she approve a project on the very site on which her predecessor refused to build property?

Hon Ms Hošek: I believe we approved that site about two or three years later and I am under the impression that a great deal more in the way of services in the area was built in the intervening time.

Mr Reville: That's not how it works.

Mr B. Rae: That is not how building works, and the minister knows that.

The Malvern Town Centre was under way and due to open well before the Metropolitan Toronto Housing Co Ltd building would have been open, and the minister knows that. The bus route would have been in place at precisely the time that the building would have been open if it had been started two years ago.

Those are facts which are in place. The minister herself must have recognized the mistake, because she approved the building on that site. I ask her again: When all that development was either under way, actually being started and constructed or planned, why was it that her predecessor turned down that particular project?

Hon Ms Hošek: I am advised by my staff that the previous Minister of Housing decided that this allocation at that time was premature because there was no shopping, no postal service and inadequate transportation at the time.

1410

Mr B. Rae: Why would the minister accept that on face value when any preliminary factual assessment by her or her staff would have clearly established that what the minister said were the reasons could not have been the case, because everything, in fact, was in place, in the works, ready to go at that corner, at that site?

Hon Ms Hošek: The member opposite maybe would like to be—I must not talk with him as though I were a teacher, though I have been given an apple today, so let me try again.

It is clear here the decision about allocations is left to the minister. The staff recommends, the minister decides. That is the norm, that is what the job of the minister is. What happened in this case is that the minister decided not to give this project an allocation because he felt that there was not enough shopping or postal service or transportation at the site. Those were his reasons; that is the decision he made.

Mr Brandt: My question is for the Deputy Premier. We now learn that the Minister of Skills Development (Mr Curling), while he served as Minister of Housing, had a fund-raiser which was run for him by Patti Starr, with the assistance and using the equipment and offices of the Tridel Corp. Does the Deputy Premier think that is acceptable behaviour and within the norm of the type of fund-raising that is permissible in this province?

Hon R. F. Nixon: I do not expect the leader of the third party to have in his possession all the

facts of a matter like that and I do not consider acceptable to all members here the fact that he states it in the House as factual. I think that is one of the reasons why the government has decided that a royal commission, a public inquiry, should be held in this connection. The facts in matters like that are going to be brought before the commissioner and presumably he or she will indicate his/her view of it at the appropriate time.

Mr Brandt: Is it the position of the Deputy Premier, as well as that of his government, that all of these questions with respect to the behaviour, allegations, if you will—none of which has been denied, to the best of my knowledge, in any of the media responses particularly relating to the former Minister of Housing and this particular matter—is it his position that all of these things are going to have to wait until the finalization of a public inquiry, recognizing full well that with the latest information we have in connection with when that is going to start, that it could well be months, maybe even years away before any of the results of that inquiry are available for the public?

Is it his position that none of these things should be discussed with the cabinet ministers involved in regard to the methodology used for appropriate fund-raising in this province?

Hon R. F. Nixon: I have heard the specifics of the honourable member's allegation denied. I do not know whether that makes him feel any better or not. I doubt if it would change his view of the matter. That is why an independent person, in this instance a judge, is going to look at the allegations, determine the facts and report. I cannot say whether the honourable member is correct that it may be years away. I hope and trust not.

Mr Brandt: Is the Deputy Premier saying that the present Minister of Skills Development, the former Minister of Housing, in fact denied that Patti Starr was engaged in a fund-raiser, that in fact the offices of Tridel were used for that fund-raiser and that staff and equipment of the Tridel Corp were involved in that fund-raising? Is he saying that is incorrect, and if he is and it is being denied, would he please state for the record and for the purposes of our information, who is denying it?

Hon R. F. Nixon: I have heard the allegations that the honourable member has put before the House denied by one of the principals, the minister himself.

HIRING OF HOUSING CONSULTANT

Mr Harris: I have a question for the Minister of Housing. Today the standing committee on

public accounts agreed to investigate the awarding of a \$250,000 consulting contract by the minister to her campaign worker Dino Chiesa. As the minister will recall, she received a substantial financial contribution from this associate of Patti Starr during the last election prior to the awarding of this very lucrative untendered contract.

Could the minister tell us whether Mr Chiesa will remain on her payroll and continue to develop private sector housing policy during the course of this investigation by the standing committee on public accounts?

Hon Ms Hošek: I am very pleased the standing committee on public accounts and the Provincial Auditor are going to investigate this matter. I am delighted they are going to do that. When they do that, the member will have all the facts and decisions will be made after that. I am very confident about the results.

Mr Harris: The minister has spoken about the importance of this sensitive new position vis-à-vis private and public sector housing policy development. Mr Chiesa will no doubt be privy to all kinds of confidential information relating to planned ministry activities and expenditures. Presumably, he will be returning to the private sector with that insider information after the two-year contract is up. To the best of my reading of the contract, it does not preclude that.

Interjection.

Mr Harris: We will be electing a Speaker in the next Parliament. If the member wishes to be Speaker, we would be glad to consider it, if he puts his name forward.

The Speaker: Do you have a supplementary?

Mr Harris: I would like to know if the minister perceives that as being a conflict.

Hon Ms Hošek: I have not countered all the allegations the member has made; he makes them piecemeal and repeats them. There seems to be no point in doing so because when I do, he simply repeats them again.

Let me read for him the words of the contract that was signed between the ministry and the gentleman who was hired to do the work we need to do to make sure that housing gets built on government land as it should. Let me read them into the record and for the benefit of the member.

This is from the contract: "The consultant warrants that he will not be involved either directly or indirectly in any arrangement which will or may cause him to be in an actual or perceived conflict of interest." Another quote: "The consultant warrants that he will identify and

disclose to the deputy minister any possible conflict of interest, even though its significance may be thought to be marginal." One more quote for the member: "The consultant shall keep secret and not disclose to any other person or entity any unpublished information which he has acquired." That should be useful for him in the last question that he asks.

I am trying to share information with the member because I am under the illusion—probably a misapprehended illusion—that he actually wants the answer to his question. That is what is in the report.

Mr Harris: The minister has said repeatedly that the Chiesa hiring fell exclusively within the jurisdiction of her deputy minister, who we know was appointed by the Premier (Mr Peterson). The special adviser to the deputy minister is a gentleman by the name of Sean Goetz-Gadon. Mr Goetz-Gadon was a political aide to the former minister at the time Patti Starr is alleged to have raised \$50,000 for the then minister. He has also been named as the political aide with whom Mrs Starr was involved during the Ronto Development affair.

My question is very simple: what advice did this Liberal aide, now a civil servant, give to the deputy minister on the Chiesa affair?

Hon Ms Hošek: The deputy minister of my department is a long-serving, very able and very honourable civil servant. Frankly, I find it astonishing—absolutely astonishing—that the member opposite would impugn that honour.

Mr Harris: Nothing is astonishing any more.

Hon Ms Hošek: I do not think I ever would have thought I would hear that in this House about a man of his calibre.

I am convinced that when the Provincial Auditor looks into this matter and all the facts are known, the member opposite will no longer be able to repeat these allegations. Frankly, I hope that day comes as soon as possible because clearly, even though the member opposite asks questions of me, he is not the least bit interested in the answers, which makes me wonder why he is asking the questions.

1420

HOSPITAL SERVICES

Mr Allen: I have a question for the Minister of Health. McMaster medical centre has, for the first time, anticipated a major deficit, with 113 bed-closings this summer as against 40 last year and ongoing nursing shortages.

I want to ask the minister to respond to the problem of 12-year-old Raymond Jaskiewicz, who was scheduled to go into McMaster for an operation on 27 June. He was born with multiple deformities and has undergone a number of operations which leave him with a dreadful fear of such events.

He was in the hospital on 27 June, he got to the operating room and was under the anaesthetic when it was discovered that there was no bed available. They wheeled him out of the operating room to wait for a bed. They found a bed only to discover that there was no nurse, so the operation was cancelled.

The question is, what does the minister say, not just to children like Raymond Jasiewicz but also to parents in similar situations, with respect to the problems they are faced with regarding bed closures and the shortages of nurses?

Hon Mrs Caplan: If the member would like to give me the details of the case that he has mentioned, the ministry is always willing to look into and investigate individual cases where members raise them in this House or approach me privately.

I would say to the member that many services can be provided, because of technological change, in alternative ways. Our focus is on services and those services being available to people when and where they need them.

I can say to the member that Chedoke McMaster Hospitals have a fine reputation for providing quality care and we are working with the hospitals. We have not yet received their proposed budget, but if we have any concerns about their management or ability to manage we will certainly be willing to investigate.

Mr Allen: This is a systemic and not an individual problem, for one thing. We see it happening across the system. Second, this is not a question of having an option to move off to other services; this is a major operation that the young man had to face. There was simply no bed and then there was no nurse. That is a problem that is not just unique, it is systemic.

In addition, this family had brought in relatives from some distance to look after the rest of the family and the household. They discovered that with the rescheduling of this operation, there will now be an elderly gentleman who needs his operation who will be displaced. They have to bear some sense of guilt over that.

Is the minister not just simply multiplying the pain, shifting the cost, shifting the guilt in situations like this by refusing to face up to the real needs for beds and nurses in our system?

Hon Mrs Caplan: I think it is important for the member opposite and for everyone in this House to understand our role and that of our partners in this health system. What I can say to him is that the hospitals are run by independent boards of trustees, the directors, and by their management. Decisions are made based on the very best medical judgements, and it is the hospital's responsibility to co-ordinate both services and practices within that hospital.

We acknowledge that there are varying degrees of management expertise. We are always available to help hospitals if they have a problem in those practices, to give them advice and to seek other expert advice from other hospitals in this province to assist them.

I can say to the member that there have been many changes in the past decade in how services can be provided. We are focusing on services, on the fact that services can be provided on outpatient and ambulatory bases in the community and on alternative ways to free up the hospitals to do what they do best, and that is provide the acute services that require inpatient care.

Mr Cousens: I have a question for the Minister of Health. The whole problem of bed-closings has been and continues to be a matter of great concern to our party. It has serious consequences for the wellbeing of the sick. The Hospital Council of Metropolitan Toronto has tabled data indicating that over 2,000 beds have been mothballed; one in six beds shut down. It was a great cost to build, develop and maintain them and now, because of chronic staff shortages and underfunding from the ministry, we have 2,000 beds in the greater Toronto area not in use. Is this acceptable to the minister?

Hon Mrs Caplan: The member's question gives me an opportunity to talk this year, as we did last year and I am assuming as we will do again next year, about how we provide services in alternative ways. We are focusing on services, and I would say to the member that in the 8.3 per cent transfer payment to our hospitals, in the \$6 billion that will be made available to the 223 hospitals, we are acknowledging that services which formerly had to be provided on an inpatient basis can now be shifted and provided on an outpatient basis.

We are focusing on services. We acknowledge that at certain times of the year demands are lower. I was told by physicians that some 30 per cent to 50 per cent of all services provided on an inpatient basis could be provided on an outpatient basis, and hospitals are looking at how they can

provide those services so that people will have them available when and where they need them.

Mr Cousens: Dr Carole Guzman, who is president of the Ontario Medical Association, would disagree with the minister. She says that the steady decrease in the number of hospital beds can only result in a reduction in the quality and accessibility of patient care.

The Minister of Health has the responsibility to assure Ontarians that they have quality health care, and the shortage of beds means that there are longer waiting lists for many procedures. It means virtual cancellation of elective surgery. It means an arbitrary reduction in the length of stay for people who are in hospital. It means that patients are tremendously inconvenienced and their recovery can be at risk. It means that patients are treated in emergency departments—

The Speaker: You must have a question in there.

Mr Cousens: —rather than proper rooms. Is this what the Minister of Health would consider quality health care?

Hon Mrs Caplan: In fact, I would say that the member is totally inaccurate in his portrayal. We know that we have in Ontario the highest rate of institutionalization in the western world for acute services. We have 1,300 patient bed-days per thousand, one of the highest in North America.

I can say to the member that beds are not the benchmark of service. Just two days ago, the chairman of the Ottawa Civic Hospital said to me: "Elinor, we care about people. We are caring for people. We are not caring for beds alone. We are providing services and maintaining service levels by using new technologies to provide services in alternative ways." He said that by providing all of the diagnostic services on an outpatient basis, in fact, they were able to improve quality care and provide services people need. I would applaud those efforts.

SOCIAL WORKERS

Mr Owen: I have a question for the Minister of Community and Social Services. At the present time, it is almost impossible to determine the number of social workers in this province, but a guess would be somewhere around 10,000 social workers. Only 2,600 belong to the Ontario College of Certified Social Workers. Social workers are not regulated by this province by legislation. That means complaints about a nonmember cannot be dealt with by the college and even a member of the college can choose to ignore any attempts at discipline by the college.

My question to the minister is, without provincial regulation, what is there by way of protection for the public against inadequately trained social workers or the incompetent behaviour of a social worker?

Hon Mr Sweeney: The honourable member will probably be aware of the fact that those professions in the province that are self-regulating generally consist of members who operate on their own a large percentage of the time—doctors and lawyers, for example. However, I draw to his attention that social workers in this province, for the most part, although there are some exceptions, work in a variety of institutional settings, in schools, hospitals, children's mental health centres, the facilities directly operated by this government.

As such, the various pieces of legislation guiding those various institutions—for example, in my own ministry, the Child and Family Services Act, the Young Offenders Act, the Homes for the Aged and Rest Homes Act and a whole series of others—clearly protect the public in the way in which social workers would behave. I think there is a difference.

However, let me just point out that we have been working very actively with the Ontario Association of Professional Social Workers to put together a consultation paper whereby all of the participants in this particular endeavour can have an opportunity of giving their input as to whether or not we do need a social workers act in Ontario and, if we do, how it will be framed and constructed.

1430

Mr Owen: At the present time anyone can put out a shingle and call himself or herself a social worker. Education and training can be nothing, training only on the job, at community college or various levels of university. I appreciate that putting together into one profession this diverse hodgepodge or background so that it can look after itself or be legislated would be very difficult. Nevertheless, this has been done in other provinces and in a number of the states in the United States.

My question then to the minister is, because many in the profession are asking for this, could he advise us what the status is of the legislation proposal in Ontario?

Hon Mr Sweeney: In the first part of his question, I believe the honourable member highlighted the fact that of the approximately 10,000 social workers in the province, something less than 3,000 are actually members of that association. The feedback we are getting is that

the other social workers in the province question—they do not deny—the necessity of a social workers act.

We also have some serious concerns being expressed to us by those social workers who are trained through community colleges, as opposed to through universities. We have had some expressions of concern coming from a range of agencies that employ social workers or people with different levels of education, backgrounds and experiences for social work activities, in such a way that they do not want to be restrained from the range of options available to them.

Because of this we have consulted with a number of groups, put together a consultation paper that is out in the communities right now and committed ourselves to receiving the responses from that paper by September or October of this coming fall. On the basis of that, we will make a decision as to whether or not we ought to proceed with the social workers act and what the construction of that act will be. So it is an ongoing process. It is not denial, it is just a case of "Let's do it right if we do it at all."

NURSING HOMES

Mr Reville: My question is for the Minister of Health. On 1 July 1987, the Legislature of the day passed the Nursing Homes Amendment Act. One of the key features of those amendments to the Nursing Homes Act was that, henceforward, nursing homes would be required to make their financial statements public. This is a matter that we have addressed a number of times in the Legislature since then. I have asked about it on two occasions in 1988 and 1989, as has my colleague the member for Windsor-Riverside (Mr D. S. Cooke). Would the minister share with the House whether perhaps it is the nursing home industry that does not want these regulations put in place?

Hon Mrs Caplan: I would say to the member that, in fact, following his previous question regarding the regulations, I was fully aware of the fact that it is the practice of the ministry, and a practice that I support, that we consult on regulations and that we want to make sure that not only are the regulations responsive to the obligations of the act, but also that they will give us the results we all think are appropriate. I understand that these regulations are particularly complicated, have gone through an extensive review and should be available shortly.

Mr Reville: It would be great if the ministries consulted on regulations, but we know that sometimes regulations can come through very

quickly. Ministry of Housing regulations have the habit of coming through quickly. Most regulations should not take two years. It makes one wonder, given that in 1987 the nursing homes industry, which cries poor all the time, managed to find \$71,595 to contribute to the Liberal Party of Ontario. Is that how much it costs to get a regulation delayed?

Hon Mrs Caplan: The member knows that our priority is always patient care and ensuring that people have the services that they need when and where they need them.

I would say that his question is unbecoming to a member of this House. He knows there is an Election Finances Act which clearly makes available to the public the fact that it is an important and perfectly legitimate political activity for people to participate in the democratic process. I would say very clearly to him that the obligations of that act require disclosure. I am pleased to see that he is using the rights available to him to explore at will, but his question is unbecoming.

Interjections.

The Speaker: Order. I am certain that other members wish to ask questions and I would ask all members to allow them.

CORONERS' INQUEST

Mr Runciman: My question is to the acting Solicitor General and it deals with the coroner's office. A former member of the Legislature, Dr Morton Shulman, brought a case to the attention of our party of a 31-year-old woman named Brandi Carrs, who died in hospital of a nonfatal illness. This occurred on 28 March 1988. In spite of repeated attempts by the woman's family and then by Dr Shulman, a coroner's inquest was not arranged until Dr Shulman approached the Premier's office about the case. The inquest is now scheduled for 18 September 1989.

While our party has confidence in Dr Bennett, the chief coroner of the province, there are many unanswered questions about how this situation was handled. Can the acting Solicitor General tell us if he believes this matter was handled in the most appropriate fashion possible?

Hon Mr Scott: As the honourable member knows, it is a determination exclusively for the chief coroner to decide whether an inquest should be held in a given case. This was an anaesthetic death, and the review conducted by the coroner following the unfortunate death was reviewed by nine other qualified anaesthetists, who all concluded that in the circumstances nothing untoward had occurred. Notwithstanding that, be-

cause of the representations that were made, it was decided none the less to grant an inquest, as the honourable member has noted.

Mr Runciman: Obviously, the acting Solicitor General has been apprised of some of the details of this situation, but I ask if he would undertake to respond fully in respect to findings in this matter to the Legislature before the recess. He did not in respect to the concerns, especially of Dr Shulman, which have been outlined in detail to his predecessor, and I ask the acting Solicitor General if he would undertake to make that commitment today.

Hon Mr Scott: I have responded fully to the honourable member in the House today. We have responded to Dr Shulman. If the honourable member has any other questions, either today or in some other question period, I would of course be delighted to have them, with notice.

Interjection.

The Speaker: Is the Minister of the Environment (Mr Bradley) here?

Mr B Rae: No, not yet. I am just going in the rotation.

The Speaker: Then I will recognize the member for Peterborough.

SUSTAINABLE DEVELOPMENT

Mr Adams: My question is for the Chairman of Management Board. Some of us were very pleased to see the Chairman of Management Board appointed as the chairman of the Premier's Ontario Round Table on Environment and Economy. It seems to me this reflects the importance that this government places on the round table and it also reflects the government's commitment to see that the principles of sustainable development are applied throughout this government's activities.

My question to the Chairman of Management Board is this: Can the minister give us his view of sustainable development as a guiding principle for government decision-making?

1440

Hon Mr Elston: I might just acknowledge for the purposes of the public that the municipality which the member for Peterborough represents has a very high degree of interest in the issue of sustainable development. They have in fact taken steps there to discuss in their forums what they can do at that level of government to initiate certain principles of policy decision-making.

With respect to the provincial government, we have taken the initiative of setting up the round table as a result of the work done by the National

Task Force on the Environment and the Economy, particularly as it reflected on the Brundtland commission. Our job now is to provide a backdrop for policy decisions with respect to the government of Ontario making decisions, but much more than that, to provide the backdrop for other governments that make decisions within our ambit, as well as other boards.

We believe it is important that people understand that the health of the economy and the environment are but one part of a much broader picture which requires a sensitivity to the social elements and other parts of our decision-making profile, so that we can provide for all of us here in Ontario the types of programs that are required to be able to provide people with the benefits that our resources and other things provide for us.

We will have continual—

The Speaker: Thank you. Perhaps the minister would want to keep some information in case there is a supplementary.

Mr Adams: I am grateful for the detailed reply that the minister gave to my question.

I wonder now if the minister could bring us up to date on the status and current activities of the Premier's round table.

Interjections.

Hon Mr Elston: I am sorry to admit my observation that the interest of the opposition is almost nil when it comes to sustainable development. It is reflected in their interjections and their desire to undo an attempt by the member for Peterborough to get some information on what is a worldwide concept: what really is being used so that all of us on this planet, which is in danger, can be used to sustain people around the world and to advance the ability of people to reach their full potential. That is what we are doing.

But let me get back to the question. What we are doing now is meeting to define and underscore for the benefit of the public of Ontario the principles upon which policies should be examined so that we can provide for the people of this province the best way of reaching their potential, so that we can examine the elements of the economic development, the economic policies and the social policies that are required. We are now balancing those inside the discussion groups so we can move forward to provide us with—

The Speaker: Thank you. I see the Minister of the Environment (Mr Bradley) is here. The Leader of the Opposition may wish to ask his second question.

MARCO MUZZO

Mr B. Rae: I have a question for the Minister of the Environment. Yesterday in the Legislature

the Premier (Mr Peterson) told the House that he had met on a number of occasions—he used the phrase “two or three or four occasions”—with Marco Muzzo and that on two of those occasions, he and Mr Muzzo had discussed what he described as environmental ideas having to do with garbage. I wonder if the minister can tell us whether he was present at any of these discussions on garbage disposal.

Hon Mr Bradley: No, I was not present for those meetings.

Mr B. Rae: I wonder if the minister does not find it a little strange that the Premier would be having a meeting dealing with an environmental idea—perhaps the minister can tell us whether the Premier gave him any report of these meetings, either verbal or written, with respect to any ideas on environmental subjects on which Mr Muzzo is, I am sure, an expert. Can he tell us whether the minister received any report on these discussions from either the Premier or any member of his staff?

Hon Mr Bradley: I cannot recall any reports from this meeting that took place, which the member talked about. I cannot recall any reports on that at all.

Mr B. Rae: I cannot understand how it would be possible for the minister to tell us that he has received no information from the Premier at all about any of these discussions when he will appreciate that the stakes involved in the question of the future of waste disposal in southern Ontario are enormously high.

He will realize that the Envacc Resources proposal, which is associated with Mr Muzzo, of which Mr Muzzo was the originator and the original financial backer, is worth literally hundreds of millions of dollars in cash flow every single year.

I wonder why the Minister of the Environment, who is supposed to have the authority over questions of waste management in this province, would not be involved in any way, shape or form in any of the meetings held by the Premier with Mr Muzzo.

Hon Mr Bradley: As the member will recognize, no proposals have been accepted by the greater Toronto area or the regional chairmen who are attempting to get together to try to solve the problems and challenges of waste management in their area. The member is not listening to the answer now.

In fact, to my knowledge, no one has accepted any particular proposal. I think there has been a discussion generally that the member is aware of

and that I am aware of, as a result of the meetings that took place with regional chairmen, with the agreement of regional chairmen to get together to deal with waste management problems within the greater Metropolitan Toronto area.

In fact, there are a number of proposals that have come forward to that group or will come forward to that group, some involving the public sector operating, I guess, the whole business, or whether it would be the private sector doing so. I am sure when the chairmen get together and form their organization, they will give careful scrutiny to all the proposals that are put forward and then they will make an appropriate decision.

CANCER TREATMENT

Mr B. Rae: I have a question to the Minister of Health. I asked the minister some questions not too long ago about the problems at Princess Margaret Hospital. As I suspected, I began to get some correspondence on this. I would like to read a very short letter that I have:

“My father, Joseph Adam, has lung cancer which has spread to the lymph nodes. He is in urgent need of radiation treatment if he is to survive. This is a life-or-death issue. He has been to Princess Margaret Hospital twice in the past week for consultations with doctors. The earliest he can be treated with radiation is four weeks from now.” That is four weeks from the date on which this woman, Ms Adam, the daughter of Mr Adam, wrote the letter. She concludes by saying, “It is very difficult to watch my father suffer when I know that the technology exists to help him.”

This four-week delay in treatment for radiation is not unusual. This is not an exceptional problem. It is one that is shared by many, many cancer patients. I wonder if the minister can tell me what I should tell Ms Adam.

Hon Mrs Caplan: In regard to the issue the member raises, as he knows, we have declared that cancer care is a priority of the province. We acknowledge that there are many components in attempting to respond to the challenges of building a network of services and seeing that people have the care they need when they need it, as close to home as possible.

I would say to him that he should suggest that she speak to her doctor about ensuring that the care and treatment of anyone is always provided on the basis of physicians’ best advice as to when those services are needed and that priority is given to those in most urgent need. In fact, the physicians are monitoring the results and the outcomes so that we can ensure that resources are

used as effectively as possible and result in the very best possible treatment.

Mr B. Rae: Does the minister not realize that what in fact is happening now is not that doctors are able to make the decision on the basis of what patients need? They are having to make the decisions based on what is available. There are 10 machines and there are only eight working. They are short of technologists.

Does the minister not recognize that, as theoretically adequate as her answer may seem, it does not respond to the reality? The reason for the delay is not doctors saying, "You don't need the treatment for four weeks." That is not what is happening. What is happening is: "I'm sorry. There's a waiting list. You simply have to wait, along with everyone else, because everyone else is in the same position." Does the minister not understand that this is what is happening now at this hospital as well as others?

1450

Hon Mrs Caplan: I would like to speak to the Leader of the Opposition about reality and about the reality that we want to make sure that people have access to services as close to home as possible. The reality is that Princess Margaret Hospital had a number of technologists who took positions in other hospitals as part of the network across the province. As a result, the ministry acted immediately to increase the capacity in Kingston.

The member knows full well that many people were coming into Metropolitan Toronto from outside and particularly from eastern Ontario. By allowing them to be referred to Kingston, that will remove the pressure on Metro to allow for those who have to come in. He knows that this was unforeseen, that they are actively recruiting to ensure that they have the therapists that they need, but that the expansion of services in Kingston will alleviate the situation that we know exists.

HOME CARE

Mr Villeneuve: This is to the Minister of Community and Social Services. A private company known as Professional Health Care Services, operating in eastern Ontario, has some 2,200 patients in the counties of Prescott, Russell, Lanark, Leeds, Grenville, Stormont, Dundas, Glengarry and others. It touches over a half-dozen ridings in eastern Ontario.

Some months ago, the ministry staff gave assurances that homemaker grant increases would come by the end of June. That is tomorrow. Can the minister explain why staff are

now saying that the increases will not come until September at the earliest? Could the minister explain that to us?

Hon Mr Sweeney: I made an announcement in this House, I believe about two or three weeks ago, in which I clearly indicated that a total of \$88 million has been allocated to my ministry by the Treasurer (Mr R. F. Nixon) to improve community wages for five different groups of people, and one of those groups was homemakers. I said at that time that we would be consulting with the various provincial homemaker groups to determine between them and us the fairest way to allocate those resources, and that I was giving a commitment that the money itself would flow to the workers effective 1 September. I did not give a guarantee that they would receive the cheque, but any cheque that they did receive would be retroactive to 1 September. That was clearly the statement that I made.

Mr Villeneuve: We have some urgency here. Staff meetings have been held by this homemaker organization in Cornwall, Iroquois, and Brockville, and there is another very important meeting tonight in Hawkesbury. Some of that staff has already resigned over the lack of pay increases, and of course the biggest losers are the 2,200-or-so patients. After the Red Cross and the Victorian Order of Nurses, this seems to be another example that the government is once again endangering homemaker services and we are losing some of our professional home care providers right now. Could the minister not guarantee these people that moneys will flow imminently?

Hon Mr Sweeney: I would remind the honourable member that earlier this year, in January I believe it was, through my ministry \$1.8 million flowed not just to the Red Cross but to seven other homemaker agencies to help them with their particular problems. I have also indicated that those same agencies will get in excess of \$2 million this year. So we have dealt with that part of the problem. I just finished advising the honourable member that we have put out a considerable number of dollars, over \$88 million, for a range of services. We have committed that money will be paid to workers retroactive to 1 September. I do not know what more we can say. We have given that guarantee. We have flowed that kind of money. We have assured them that money will flow again this year.

RECYCLING

Mr Carrothers: My question is to the Minister of the Environment. Many of my

constituents have expressed some concern about the glossy advertising flyers that we find in our newspapers. Frequently, there seem to be more flyers than newspapers delivered to our door, particularly in the Wednesday and Saturday editions. There seems to be a great deal of confusion about whether those glossy advertising inserts and magazines can be recycled. I wonder if the minister could clarify for my constituents whether in fact the glossy advertising brochures in the newspapers can be included in the blue box program.

Hon Mr Bradley: This is a question that I think a lot of people around the province are asking, as they are attempting to expand what goes into the blue box. I can inform the member that glossy advertising flyers, of the kind that are included with the newspaper, are often used by supermarket chains as a supplementary to a newspaper, and by department stores as well, are printed on newsprint stock paper. So such flyers can be accepted by the blue box recycling program, including the program operating in the honourable member's own region of Halton and in his riding of Oakville South.

In fact, the region of Halton recycling program is able to take even stapled glossy magazines as well, and has advanced beyond some other regions in this particular regard. Magazines with glue bindings, on the other hand, cannot be accepted by the blue box in that specific area. Of course, it is the responsibility, and they always take this on, of the local municipality to make known to everyone in the area what may or what may not be included in the blue box. Even the member for Scarborough West (Mr R. F. Johnston), I know, would be interested in that.

Mr Carrothers: Could the minister inform the House whether he is investigating methods to find ways to recycle the magazines that so frequently find their way to our doorsteps, as well?

Hon Mr Bradley: In fact, a certain quantity of magazine stock paper is actually necessary for the newsprint recycling process, to give the necessary binding and strength to the newsprint which is eventually produced. Currently there are about 40,000 tons of this paper used annually during the de-inking process in Ontario and it is supplied largely by the cutting waste from the firms that produce the magazines. A greater quantity, I want to tell the member, in fact, is going to be required when additional de-inking facilities come on in the province of Ontario.

The Ministry of the Environment has sponsored a pilot project in the region of Halton to

experiment with various methods of removing glue bindings from the magazines. That, of course, will remove a major problem. This program and others like it have been funded through the ministry's municipal recycling program.

WORKERS' COMPENSATION

Miss Martel: I have a question for the Minister of Labour. The Workers' Compensation Board came before the public hearings on Bill 162. At that time, when I raised my concerns about the new supplement policy and how workers were being deemed and denied benefits, Dr Elgie said this:

"The board had its own concerns about this issue and Henry McDonald was part of a team that followed the threshold test issue with workers since the policy commenced. I believe I am correct...in saying that there was virtually no change in the number of people passing the threshold test; maybe different individuals, but as a total group there was no change in the number of people passing the threshold test."

Yesterday the board's annual report was released and in fact the number of supplements awarded in 1988 was down by 23 per cent from 1987.

Will the minister not now admit that in fact deeming is occurring and he has done nothing to stop the practice?

Hon Mr Sorbara: My friend from Sudbury East, who has actually been an employee of the Worker's Compensation Board, should at least acknowledge in her question that the administration of the workers compensation system is not in the hands of the Minister of Labour in this Parliament or in the government of Ontario. She should also, if she wanted to really deal with the question that she raises, acknowledge that the terminology in Bill 162 is dramatically different and will, I think, eliminate the very practice that she is talking about.

As to whether or not deeming, as she uses that term, is currently the practice of the board, I really don't have any comment whatever, except to say to her that to suggest that the reduction by some 23 per cent in those who were granted supplements during the last fiscal year of the board would probably be attributable to a variety of factors, only one of which could be a change in the threshold test that she referred to in her question.

Miss Martel: The minister would know that during the course of the hearings when this was raised, Dr Elgie said specifically there had been

no change in the numbers of workers receiving supplements. The annual report tells something very much different. The minister also knows that the wording in Bill 162, whether it was the act introduced on 20 June or the new, revised version introduced four weeks ago, does absolutely nothing to stop this policy.

The only way to protect workers from being deemed is to ensure that their real wages are taken into account when they are given an award.

Why will the minister not do the decent thing and say, in Bill 162, that the workers will receive their actual wage loss instead of a projected wage loss based on deeming?

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Hon Mr Sorbara: I want to throw the question back to the member for Sudbury East. Why will she not do the decent thing and let the committee of which she is a member, the committee that is dealing with Bill 162, get to the very sections that she is referring to? Day after day in the standing committee on resources development, she and her party have been talking and talking and talking on the smallest minutiae of the bill. I invite her to bring her suggestions on those sections urgently to the committee that is now considering the bill.

Interjections.

The Speaker: I might remind all members that shouting gets one no place, other than to waste the time of the members.

ELEVATORS

Mr Sterling: I have a question for the Minister of Consumer and Commercial Relations. On 1 April of this year, Sagal Samanter died as a result of an elevator accident in the Ottawa-Carleton area.

This week, a ministry official, Ken Irving, was quoted as saying, "We have the ability but we do not have the time to properly check the elevators in the Ottawa-Carleton area." He also said that the ministry was aware of a recommended change with regard to the wiring on this elevator which might have prevented the accident from occurring. He is one of two inspectors for over 3,000 elevators in the Ottawa area. We have been chronically understaffed in that area.

What does the minister intend to do to make certain that the Ottawa-Carleton area in eastern Ontario is properly protected with regard to safety of elevators?

Hon Mr Wrye: I want to say to the honourable member that I know he quite properly reflects the concern in the Ottawa-Carleton area with not

only this elevator fatality but the second fatality at the Lord Elgin Hotel which occurred some short time ago. I know he tries to bring that concern to the Legislature.

I can advise him that in the allocations which we received from the Management Board of Cabinet this year, we have received a significant increase in the amount of money available, and a great deal of that money will be going to the technical standards division, of which the elevating devices branch is a part.

I can say to the honourable member that, at the same time, we do place some importance upon the maintenance contracts that each and every one of those facilities has. It is impossible, as the honourable member will know, to inspect elevators literally every week or every two or three weeks, so we expect those maintenance contracts to be with reputable firms and to be followed very carefully. During our audit inspections, we look very carefully to see how those maintenance contracts are being followed.

Mr Sterling: I want to talk about those very maintenance contracts. A maintenance contractor was quoted in the Ottawa Citizen, saying: "Records are not required by the ministry"—the Ministry of Consumer and Commercial Relations—"and are often removed by maintenance companies if the contract expires, in order to hinder the new contractor. It is notorious in the industry to remove records. There are elevators that do not even have wiring drawings in the control room. It is a serious situation."

Will the minister not only address the situation with regard to inspectors required in Ottawa-Carleton but will he bring forward regulations assuring that proper reports and proper diagrams are part and parcel of living with a licence to control and operate an elevator in this province?

Hon Mr Wrye: I will be meeting with my officials about the inquest which, as the honourable member has pointed out, has been ongoing this week. As we look not only at the inquest evidence but at the recommendations of the inquest, I intend to meet with my officials to see in what ways we can improve the situation as we find it in Ontario.

It seems to me that the honourable member certainly brings forward a couple of areas where improvements may be useful. I am not in any way impressed with any argument that someone should be able to take away records which may be able to hinder safety. I will give the member a commitment in the House that we will look very carefully at that, as one of the areas in which I

think all of us in the Legislature would like to see improvements.

DEVELOPMENTALLY HANDICAPPED

Mr Callahan: I have a question to the Minister of Community and Social Services. A week or so ago my colleague the member for Brampton North (Mr McClelland) and I met with the director of the Brampton-Caledon Association for the Mentally Retarded. A question was put to us about the problems of families with children who have a psychiatric problem and are developmentally handicapped, which is commonly known as a double or dual diagnosis. It was indicated to us by the director that the facilities available to deal with both of these difficulties for a person, certainly in our area, are nil. I would like to ask the minister whether or not this is being looked into and what steps may be taken to remedy that situation.

Hon Mr Sweeney: In the past two years, my ministry has spent an additional \$63 million to upgrade the community supports for families who have developmentally handicapped relatives already living in the communities, and for relatives whom they want to bring out of institutions and back into the community.

I must concur, however, in terms of supplying services, that the one group of people with whom we have the greatest difficulty are those who are dually diagnosed. Up to the present time there is a split in the service. If the person exhibits a serious psychiatric problem, that is usually dealt with through the Ministry of Health in a psychiatric hospital if he is an adult, or through a children's mental health centre, through my ministry, if he is a child. If he needs the regular line of services, then the communities can provide it. But we do not have in place very widespread across the province a single agency that can supply both of those. The honourable member's area and that of his colleagues is not different from any other places in the province.

PETITIONS

TEACHERS' SUPERANNUATION

Mr R. F. Johnston: I have a petition here signed by 500 people, ironically on the day the government is going to drop on us its amendments to the superannuation fund for teachers. It reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"Whereas the government of Ontario in its discussions with the Ontario Teachers' Federation on amendments to the Teachers' Superannu-

ation Act has continually refused to permit an equal partnership between teachers and government in management of the pension fund, establishment of an acceptable contribution increase, benefit adjustments, equitable treatment of future surpluses and a binding arbitration process,

"We, the undersigned, petition the Legislative Assembly to insist that the Treasurer of Ontario enter into negotiations with the Ontario Teachers' Federation which will lead to a settlement equitable to teachers."

I have affixed my signature.

NATUROPATHY

Mr Fleet: I have a petition that I received from the Ontario Naturopathic Association. It is signed, by my count, by 153 individuals and is addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas it is my constitutional right to have available and to choose the health care system of my preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

I have countersigned it, as required under the provisions of the standing orders.

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CHILD SEXUAL ABUSE

Mr Adams: I have a petition from 150 people in the Peterborough area. It is properly addressed and begins:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"That funding be increased so that crown attorneys can better advocate on behalf of the victims of child sexual abuse;

"That a person be appointed to provide liaison between crown attorneys and their victim-clients;

"That the judiciary be required to apply maximum sentences, as provided by the law, to those guilty of child sexual abuse;

"That the perpetrators of child sexual abuse be prohibited by law from access to their victims

unless the consent of the victim and the victim's family is given to such access."

TEACHERS' SUPERANNUATION

Mr Adams: I have a second petition. This petition too is appropriately addressed. It begins:

"Whereas the government of Ontario in its discussions with the Ontario Teachers' Federation on amendments to the Teachers' Superannuation Act has refused to allow an equal partnership between teachers and government in management of the pension fund, establishment of an acceptable contribution increase, benefit adjustments, equitable treatment of future surpluses and a satisfactory dispute resolution mechanism,

"We, the undersigned, petition the Legislative Assembly to insist that the Treasurer of Ontario negotiate with the Ontario Teachers' Federation towards an equitable settlement."

SECURITY IN PREMISES USED BY PUBLIC

Mr Sterling: Thank you very much, Mr Speaker, for giving me the opportunity to present this petition today.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"We request that the Ministry of the Attorney General withdraw Bill 149, An Act to amend the Trespass to Property Act, which we believe is unnecessary and without mandate.

"While we respect the rights of minorities and youth, whom Bill 149 alleges to protect, we oppose the way in which the proposed legislation will erode the ability of owners and occupiers to provide a safe and hospitable environment for their patrons or customers. We are further concerned about the legislation's potential for increasing confrontation in the already difficult process of removing individuals who create disturbances on publicly used premises."

I have signed that along with 373 people from Ontario who oppose Bill 149.

TEACHERS' SUPERANNUATION

Mr R. F. Johnston: I have a petitions signed by 500 people in the Metropolitan Toronto area concerning their outrage at the lack of negotiations around the superannuation fund for teachers.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"Whereas the government of Ontario in its discussions with the Ontario Teachers' Federation on amendments to the Teachers' Superannu-

ation Act has continually refused to permit an equal partnership between teachers and government in management of the pension fund, establishment of an acceptable contribution increase, benefit adjustments, equitable treatment of future surpluses and a binding arbitration process,

"We, the undersigned, petition the Legislative Assembly to insist that the Treasurer of Ontario enter into negotiations with the Ontario Teachers' Federation which will lead to a settlement equitable to teachers."

I have affixed my name and agree with them that this should be done before a bill is imposed upon us, as it will be this afternoon.

NATUROPATHY

Mr D. R. Cooke: I have two identical petitions and I have signed each of them proudly. One of them is signed by 115 citizens from my area, the other by 190 citizens from my area. They each read:

"To the Lieutenant Governor and the Legislative Assembly of the province of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas it is my constitutional right to have available and to choose the health care system of my preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

ALL-TERRAIN VEHICLES

Mr Ballinger: I have a petition addressed to the honourable the Lieutenant Governor and the Legislative Assembly of Ontario.

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"We, the undersigned Ontario citizens, are opposed to private members' resolution 62 which reads,

"That the government of Ontario through the Minister of Natural Resources should bring forward legislation to prohibit the use of dirt bikes and all-terrain vehicles on conservation authority lands."

I have affixed my name to the bottom of this petition along with 650 residents.

ACADEMIC STREAMING

Mr Jackson: I have petitions, a considerable number of them, 7,000 signatures, which have

been received from one school alone in Essex County concerning the cavalier fashion in which the government is approaching vocational schools and the children they serve. The petition states:

"We, the undersigned, do hereby petition the Premier of Ontario and the Minister of Education for the province of Ontario to recognize the effectiveness of vocational schools in the province of Ontario and to stop any further transfer of these schools to the Roman Catholic separate board of education."

"We urge the ministry to conduct significant research into the concept of mainstreaming."

TEACHERS' SUPERANNUATION

Mr R. F. Johnston: I have about 500 signatures, from the Bobcaygeon-Peterborough areas as well as the Toronto region, of angry people concerning the Teachers' Superannuation Act and the problems with negotiations with the government. It reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"Whereas the government of Ontario in its discussions with the Ontario Teachers' Federation on amendments to the Teachers' Superannuation Act has continually refused to permit an equal partnership between teachers and government in management of the pension fund, establishment of an acceptable contribution increase, benefit adjustments, equitable treatment of future surpluses, and a binding arbitration process,

"We, the undersigned, petition the Legislative Assembly to insist that the Treasurer of Ontario enter into negotiations with the Ontario Teachers' Federation which will lead to a settlement equitable to teachers."

That is a novel idea for this government.

NATUROPATHY

Mr Campbell: "To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas it is my constitutional right to have available and to choose the health care system of my preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise

their art and science to the fullest without prejudice or harassment."

I have affixed my signature to the petition.

PUBLIC SECTOR PENSION PLANS

Mr Campbell: I have a second petition:

"We, the undersigned employees of the Ontario public service, demand a jointly managed pension plan without additional contributions."

NATUROPATHY

Mr M. C. Ray: I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly petitioning for the introduction of legislation "that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment." It is signed by 149 residents of Ontario, and I have also affixed my signature.

The Speaker: Does the member for Scarborough West have another one?

TEACHERS' SUPERANNUATION

Mr R. F. Johnston: Yes, Mr Speaker, it may surprise you to know that I have another 500 names here of people who are concerned about the Ontario Teachers' Superannuation Act, which the government of Ontario has not negotiated properly about. It reads as follows, and it is slightly similar to the others:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"Whereas the government of Ontario in its discussions with the Ontario Teachers' Federation on amendments to the Teachers' Superannuation Act has refused to allow an equal partnership between teachers and government in management of the pension fund, establishment of an acceptable contribution increase, benefit adjustments, equitable treatment of future surpluses, and a satisfactory dispute resolution process,

"We, the undersigned, petition the Legislative Assembly to insist that the Treasurer of Ontario negotiate with the Ontario Teachers' Federation towards an equitable settlement."

I have affixed my signature.

Mr Velshi: I have a petition signed by 196 residents:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"To amend the Teachers' Superannuation Act, 1983, in order that all teachers who retired prior to 31 May 1982 have their pensions recalculated

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on the best five years rather than at the present seven or 10 years.

"The proposed amendment would make the five-year criteria applicable to all retired teachers and would eliminate the present inequitable treatment."

I have signed the petition.

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Mr R. F. Johnston: Mr Speaker, you will be pleased to know I have one last petition today with 500 names from people from Oshawa, Metropolitan Toronto, Durham region and other parts who are concerned about the same issue.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"Whereas the government of Ontario in its discussions with the Ontario Teachers' Federation on amendments to the Teachers' Superannuation Act has continually refused to permit an equal partnership between teachers and government in management of the pension fund, establishment of an acceptable contribution increase, benefit adjustments, an equitable treatment of future surpluses, and a binding arbitration process,

"We, the undersigned, petition the Legislative Assembly to insist that the Treasurer of Ontario enter into negotiations with the Ontario Teachers' Federation which will lead to a settlement equitable to teachers."

There will be more forthcoming even after this bill is foisted upon us.

INTRODUCTION OF BILLS

VETERINARIANS ACT, 1989

Mr Riddell moved first reading of Bill 39, An Act to revise the Veterinarians Act.

Motion agreed to.

Hon Mr Riddell: This bill proposes to amend the Veterinarians Act to better protect the interests of the public. As well, the proposed amendments ensure that the rights of individuals in the veterinary professions will be protected.

The revised act is modelled after legislation covering other self-governing professions and parties affected by this proposed act have been consulted in its drafting. As a result of this process, I am able to present this proposed bill which addresses concerns of veterinarians and associated nonveterinarian groups.

BRUCELLOSIS REPEAL ACT, 1989

Mr Riddell moved first reading of Bill 40, An Act to repeal the Brucellosis Act.

Motion agreed to.

Hon Mr Riddell: I rise to introduce a bill to repeal the Brucellosis Act, which is no longer a relevant piece of legislation. Ontario was declared free of the brucellosis disease in October 1985, marking an end to a disease that once ravaged cattle herds and cost farmers millions of dollars in lost production. Using a program of vaccination, testing and eradication, the federal and provincial governments, in co-operation with farmers, brought this disease under control. As brucellosis has been eradicated and its control is under the jurisdiction of Agriculture Canada, the Ontario Brucellosis Act is redundant.

LAURAMAR HOLDINGS ACT, 1989

Mr Cordiano moved first reading of Bill Pr17, An Act to revive Lauramar Holdings Limited.

Motion agreed to.

TEACHERS' PENSION ACT, 1989

Mr Ward moved first reading of Bill 41, An Act to revise the Teachers' Superannuation Act, 1983 and to make related amendments to the Teaching Profession Act.

Motion agreed to.

BOLSWARD INVESTMENTS LIMITED ACT, 1989

Mr Ballinger moved first reading of Bill Pr20, An Act to revive Bolsward Investments Limited.

Motion agreed to.

ORDERS OF THE DAY

RENTAL HOUSING PROTECTION ACT, 1989

Ms Hošek moved third reading of Bill 211, An Act to revise the Rental Housing Protection Act, 1986.

The Speaker: Is it the pleasure of the House that the motion carry? Carried. Resolved that the bill do now pass and be entitled as in the motion.

Hon Mr Conway: The 16th order, Mr Speaker.

Mr Philip: No, there is debate on it.

Hon Mr Conway: Oh, I am sorry.

The Speaker: I put the motion. It carried.

Hon Mr Conway: Mr Speaker, I think we are going to have agreement.

The Speaker: Therefore, it is not carried?

Mr Reville: There are some comments to be made on third reading of this bill.

Hon Mr Conway: I should just indicate the question was put. I was waiting for someone to get up. No one did, so the motion was carried. But I think you should know, Mr Speaker, that there was an understanding that there would be a debate on the third reading of Bill 211, so I would seek consent that we revert to the question of the third reading of Bill 211.

The Speaker: Is it agreed that the motion for third reading of Bill 211 is before the House?

Agreed to.

Mr Reville: Thank you, Mr Speaker. I apologize for falling asleep at my post. It seemed inconceivable to me that the third reading of a bill of this importance would pass without the minister having to make a few remarks.

In the spirit of graciousness that is obtaining in this situation, I appreciate the government House leader's intervention at that moment. I should point out that there was some understanding on the part of other House leaders at our meeting this morning to allow this bill to be scheduled for debate at all, because it does not appear as one of the orders of the day on the piece of paper I normally see.

Hon Mr Conway: On the order paper.

Mr Reville: It was not scheduled and in fact you will note, Mr Speaker, if you look a few millimetres to my left, that our critic is not with us this afternoon and was not able to be here because we did not know this bill was going to come forward.

Notwithstanding that, there are a number of members of this Legislature who are able to share a few thoughts with other members of the Legislature in this regard. I know all members of the Legislature are very concerned about housing issues in general and about the protection of rental housing in particular.

It was not ever so, and in fact it was not all that long ago, just prior to 1985, when it seemed intolerably difficult to interest people in this place about the protection of rental housing. Of course, I mean the government of that day, which was a Progressive Conservative government, had been importuned for a number of years by my party and by municipal councillors who had an opportunity to see daily that rental housing was disappearing from the constituencies they represented.

1530

Some members who have had a long history in this place will recall that the Minister of Municipal Affairs and Housing of that time and the parliamentary assistant to the minister were at

some pains to avoid dealing in a serious way with the protection of rental housing. The protection of rental housing sometimes in the past was called demolition control.

I remember a former city of Toronto alderman who came to this place and was appointed by the then Premier to handle the increasing barrage of concern that was coming out of Toronto city council. This municipality in particular, the municipality in which the Legislature is located, was suffering extraordinary losses in terms of its rental housing.

As someone who has spent almost the past 20 years of his life living and working in the east end of Toronto, I used to be lucky enough to live in Cabbagetown. I rented some premises there, in the neighbourhood that was favoured by the member for York Mills (Mr J. B. Nixon). He and I know that community underwent an extraordinary transformation during the 1970s.

It is not a very big neighbourhood. It is a neighbourhood bounded on the north by the St James Cemetery, on the west by Parliament Street, on the east by the Toronto Necropolis and what is now the Riverdale Farm, the Don Valley and the Don River, and on the south by Gerrard Street. It is a matter of a few city blocks.

In the time when I first lived there, the area was largely inhabited by tenants. Nowadays, if you had a very determined private detective, you might be able to locate a tenant in that neighbourhood, but more likely what you would locate are real estate agents who are pushing property sometimes valued somewhat in excess of \$1 million.

I remember the irony I felt particularly when the first Cabbagetown house topped the \$1 million mark, because that had been a house once rented by the Christian Resource Centre. The Christian Resource Centre had a mission to roomers and boarders. They were able to rent what in fact was a mansion, somewhat on its last legs and somewhat long in the tooth. It operated as an umbrella group for many social action groups that were common in Cabbagetown in the late 1960s and early 1970s. That property was eventually taken out of leasehold and was sold and vastly renovated. You can see it there on Carlton Street any day. That was the first house that I had ever known of to go on the market for over \$1 million, and I thought that was an interesting irony.

Some of the new residents of Cabbagetown, of course, thought that it had reverted to its rightful owners when it became that valuable. What happened to Cabbagetown and the Don Vale in

the 1970s was that its population declined vastly as more and more of it went into home ownership. In fact, 1,000 children disappeared from that neighbourhood during that decade. It had extraordinary implications for the local schools, which suffered a huge decline in their enrolment.

It was not because the people who lived there had found some better place to go to. In fact, to the extent that it was possible to trace my neighbours, I found they were moving to areas that were becoming inner-city areas in the suburbs. The housing they had been occupying as rooming houses or boarding and lodging houses or as low-cost apartments had just disappeared; they were demolished, they were converted to condominiums or they were the subject of luxury renovations.

A unit that had been \$250 a month was taken off the market for a year and re-emerged as a unit that was worth \$1,500 a month. Jacuzzis had been installed, and those kinds of venetian blinds that people favour these days that are different than the ones that go clickety-click or snappety-snap when they go up. They are that kind of venetian blind; they are much more expensive nowadays.

I can think of all sorts of buildings, some owned by DelZotto, in fact. I do not know what put that into my mind just at the moment.

Mr Philip: Which DelZotto?

Mr Reville: It was Elvio DelZotto who bought up 70 affordable apartments, evicted all the people in them and left them vacant for five years. However, I am being unfair to Mr DelZotto, because after he got rid of the people, he sold the assembly to a different developer. Part of that development, thankfully, was saved, because Three Streets Co-op came along and was able to find some of the previous tenants, who were able to move back into their former rental apartments.

This was another kind of conversion. It is the right kind of conversion, when you convert rental apartments into co-operatives, so that people have democratic management of their housing. It is a really great idea. In fact, you can see that co-op today. After you have visited the \$1-million mansion on Carlton, just go up the street and you can see the Three Streets Co-op there on the corner.

If you keep going north on Sackville, however, you might encounter my wife working on the grounds of some mansions that used to be rental apartments. She is doing some landscaping there. In fact, she and two of her friends are

building a concrete block retaining wall, on which will be mounted a stone balustrade. Should you stop, she will say, "Yes, we're women and we're building a concrete block wall."

Mr Philip: Does she get day passes to do this, or is it some other kind of work permit?

Mr Reville: She gets an hourly wage.

All those properties had been apartments at one time. Some of them are historic buildings. Some of them are rebuilt and faked-up historic buildings. All of them are very expensive housing today; \$600,000 to \$700,000, I would say. I know some of the people who live there, and they are very nice people, but I used to know a lot more people who lived there, because of course the number of units has declined.

That is what Bill 11 was about, and by some odd coincidence, the bill that seeks to improve Bill 11 is Bill 211; maybe it should have been Bill 11-2. In any event, those kinds of numerological games may be of little interest to members of this Legislature. They are of little interest to the member for Kitchener (Mr D. R. Cooke).

Mr Philip: But I am interested.

Mr Reville: However, the member for Etobicoke-Rexdale is passionately interested. Maybe "passionately" is a bit hyperbolic.

1540

I have told this assembly before, and of course I am going to tell it again, that I have a special interest in the protection of our housing stock. I believe that a housing policy worthy of the name has to have three parts. You have to save the stock so that there is something to live in; you have to build new stock to accommodate those people who need new housing or who need housing and do not currently have it; and there has to be consumer protection to protect not only tenants who occupy rental premises from capricious rent increases and diminishing quality of life, that poor maintenance and poor building standards might have, but also home owners from crappy building practices, from buying buildings that are not ever going to be built and that sort of thing. I think we have continuing problems in all of those areas.

Prior to 10 July 1986, the protection of rental housing stock was managed partly and very inadequately through the Landlord and Tenant Act, which was supposed to protect tenants from arbitrary eviction, to the extent that theoretical rights really are accessible to people who are at the bottom end of an unequal power relationship.

In that regard, the Landlord and Tenant Act was a pretty dismal failure.

The other piece of protection was sought primarily by the city of Toronto—perhaps by other councils as well—and had to do with demolition control, so that city councils would actually have to vote before properties were demolished; there was a theoretical possibility that a council might not vote to demolish a rental property. That was the essence of the great struggle around the three famous buildings on Eglinton Avenue, which are in the riding of the member for Eglinton (Ms Poole), probably. There will be a small delay while I find out where that member is from.

Mr D. R. Cooke: It doesn't matter.

Mr Reville: It matters to me.

Mr J. B. Nixon: It was the member for Lawrence (Mr Cordiano).

Mr Reville: The member for Lawrence. The advice of the member for York Mills is welcome. That riding used to be called Eglinton; it was held by a different party several times, including an Attorney General who was not at all helpful, I recall—this was a Conservative Attorney General who used to represent the people who lived in those buildings—who, when the chips were down, finked out on us. He would not intercede to protect hundreds of tenants in those three buildings.

The building permit was issued and the owner of those buildings insisted on his demolition permit. As members will remember, there were a number of city councillors who refused to vote on that, there were lawsuits and all sorts of nastiness and unpleasantness. Subsequently the buildings were purchased by Cityhome and the saga continues, of course, because they were purchased at a price that was just goofy. Social housing programs work in that those costs get passed along to the tenants, so the rents have gone up through the ceiling.

Is there a quorum?

Mr R. F. Johnston: There is neither a quorum nor a minister.

Mr Reville: Mr Speaker, that seems like a serious lack: neither a quorum nor a minister.

The Deputy Speaker ordered the bells rung.

1545

The Deputy Speaker: A quorum is present. The member for Riverdale may proceed.

Mr Reville: I was hoping that I could get the Attorney General (Mr Scott) to sit in his place for a while, because one of the areas that suffered the

most from loss of rental accommodation is the area he represents.

An hon member: There is no cause and effect.

Mr Reville: The causal relationship here is not perfect, I do not expect. The Attorney General has left the room again. I cannot talk about a person who is not here. On the other hand, I do not remember him defending any rental housing in that riding, but he was busy doing other things. I do not remember that he had any connection with Elvio DelZotto either.

Mr Philip: Or with David Rotenberg.

Mr Reville: I knew David Rotenberg.

In any event, after all that nonsense that occurred on Eglinton Avenue and after the failure of the Progressive Conservative Attorney General to lift even one finger—he was probably stapling the cuff of his trousers at the time. I would have thought that the government House leader would have known that story. In fact, there was this terrible noise emanating from the Attorney General's office one day and his staff, concerned that something untoward may have befallen the Attorney General, went in to find him with one foot up on his desk, and he was stapling the cuff of his pants because he had to give a plaque or something and the stitches in the cuff of his pants—has this never happened to anyone, the stitches coming out of the cuff of one's pants? It certainly happened to him. He was stapling his pants back together, which shows that Attorneys General can do more things than you can imagine.

In any event, I was trying to get back to the point here, which is that by the time the 1985 election came along, there was not only immediate concern and very large public concern about the loss of rental housing. There had been amassed a great body of information; planning departments throughout Ontario were keeping track of those units lost to demolition, conversion and luxury renovation. So it was that when the voters made the kind of decision that they did in May 1985 and returned almost equal numbers of Conservatives and Liberals, and the New Democrats, who regrettably were returned with fewer numbers, demanded that one of the first items that would appear on the accord document be immediate legislation to deal with the problem of the loss of rental housing stock.

That accord was very detailed in that respect and by and by, very by and by, a piece of legislation emerged from the new Liberal government and it is almost three years ago—close enough, 10 July 1986—that that legislation

received its third reading. I have shared with members before just what an exciting adventure that was, because the session adjourned that very day and the bill got its third reading in the nick of time.

It seems that this piece of legislation is always just in the nick of time. For those members who are Latin scholars, in ipso negotio. That is how you say that in Latin. It is amazing what you can learn at plumbing university.

An hon member: Plumbing university?

Mr Reville: I am a graduate of George Brown College. I studied plumbing and gas-fitting there and I got high marks, and what those members need right now is some plumbers, it seems to me.

1550

Mr Mahoney: You need some gas-fitters.

Mr Reville: One of the things about gas-fitting is that you have relief valves installed.

Mr Mahoney: Use a cork.

Mr Reville: If you do put a cork in it, you are liable to have an explosion.

Mr Philip: You guys should be studying Descartes. That is the situation you are finding yourselves in at the moment.

Mr Reville: That is right. Some of this stuff is pretty philosophical, perhaps, for this assembly.

We had a lot of discussion back in 1986 about who the winners and losers should be.

Interjection.

Mr Reville: No, I am looking at my own speech. Does the member mind if I quote myself? No one else will.

Mr R. F. Johnston: No one else will.

Mr Reville: Thank you. The member has to get into training to get those remarks out before I do, because I am probably the quickest and most self-deprecating person you will ever run into.

Mr R. F. Johnston: And with good cause.

Mr Reville: And with good reason. The member beat me on that one, but he planned that.

One of the amendments I had attempted to move back on 10 July 1986—it says so right here—was that I tried to increase the number of rental housing units we could protect. The amendment read that the act should not apply to rental residential property of less than 3 rental units. That meant we would allow duplexes and single units to escape from this legislation, but we wanted to protect the triplexes and fourplexes, because we had counted them and we knew there are an extraordinary number of triplexes and fourplexes in the province.

Of course, we come to this current legislation, Bill 211. Look at subsection 3(2): “A rental property is exempt from this act if the number of residential units in the property, including the number of rental units, is four or fewer.” That means the arguments continue to fall on deaf ears.

It is possible that all the fourplexes in Oakwood have already been converted—I do not know that—but it was in the riding of Oakwood, precisely the riding held by the Minister of Housing (Ms Hošek), where fourplex conversion was going on hottest and heaviest. This was before the minister was elected. I am not suggesting that there is any causal relationship there. What I am suggesting is that there was plenty of opportunity for this minister to discover the kind of dislocation that can occur if one does not protect fourplexes.

I assume the government’s rationale for not protecting fourplexes on down is that in the main those kinds of collections of rental property are owned by small landlords, are perhaps retirement properties, and it did not want to put barriers in the way of those small capitalists. Perhaps that is an appropriate decision to make.

But the fact remains that many thousands of units—tens of thousands, in fact—do not fall under the protective umbrella of this legislation. What we have actually done is created two kinds of tenants: those that deserve to be protected because they live in fiveplexes or up, and those that do not deserve to be protected because they live in fourplexes and down.

Also, those who live in small communities, I understand, do not get covered. I assume that is because it is hard for small communities to implement and administer the legislation, not because there is no problem in small communities, because I do not think that is true. I think the loss of rental housing is a problem whether you live in a community of 700, such as Killaloe in the riding of Renfrew, or whether you live in a large community such as the borough of East York, which is well over 100,000 people.

In both places, once a rental unit is gone, it is gone. If members can find anything more profound than that—It is hard to think of it.

Aha. Here is the number. In 1986, 79,000 units: it says so right here on page 2354. I knew that number then. Holy smokes. “There are a great number of rental residential properties in Ontario of less than seven units.” That is what they wanted to do at first, six and up. That was 446,000, a third of the rental stock in 1986. Shame.

We actually managed to knock the government of the day down a couple. My amendment would have brought 79,000 more units under the protection of the Minister of Housing. Then we had this absurd byplay: Ms Fish; the then minister of Housing, the member for Scarborough North (Mr Curling); and myself, in which—

Mr R. F. Johnston: Tripartite.

Mr Reville: You are quite right, it was tripartite. It was a debate, actually.

Mr R. F. Johnston: What went on in this riposte?

Mr Reville: In the riposte, what occurred was that the minister of the day promised to protect fourplexes, and then doubledealt us in the regulations.

Mr R. F. Johnston: No.

Mr Reville: Yes. The regulations came out and there we were, done in.

Mr R. F. Johnston: Before or after Mr DelZotto talked to him?

Mr Reville: I have no evidence that the then Minister of Housing spoke at any time with Elvio DelZotto. What I do know is that—

Interjections.

The Deputy Speaker: Order, please. There are many interjections, and only the member for Riverdale has the floor.

Mr Reville: My view would have been that had the minister talked to Mr DelZotto, he would not have understood what he said.

Mr Pelissero: Oh, not good. That's beneath you.

Mr Reville: Well, I still feel very cross about this, because the government left 160,000 tenants out in the cold, and when you feel that cross about that many people you do not forget. It is unfortunate that I am still here, because I have a memory that is quite long.

The other thing I just went on and on about was the matter of my view of how quickly this government could move to replace the legislation with better legislation. The whole speech around Bill 11 was: "Don't worry, Housing critics. This legislation isn't perfect, but we've got to get it in place fast to protect these rental housing units, except these 449,000 rental housing units we don't intend to protect. We'll fix it up. We'll consult in the way we want to do and like to do, and we'll bring in a piece of legislation that will be wonderful."

This is supposed to be it. But at the time, 10 July 1986, did it not have a sunset clause on the legislation? The government, feeling pretty

cocky at that time, was going to repeal it on 30 June 1988. They gave themselves a couple of years to consult and bring in the perfect—I do not know—transcendental piece of rental housing protection legislation.

I thought, "Geez, that'd be really good if that would happen," but just in case it did not happen, I moved an amendment that said: "Let's not have a sunset clause on this legislation. Let's let it expire on the day it's replaced or on 30 June 1988, whichever day came later." No, the Minister of Housing said this was a dumb amendment, so it did not carry.

1600

Then on 30 June 1988, who comes whining into the Legislature but the Minister of Housing—

Mr Black: I thought it would have been the NDP.

Mr Reville: In this case, perhaps they had been listening to the NDP whining and they had been practising whining in the government lobby. In any event, the whining was good. One always thinks that when the engines are turned off, the whining will stop, but it is not always true.

Anyway, the minister came and had to beg leave of the Legislature to extend Bill 11 for another year, because the much touted, transcendental legislation was not ready. The Legislature did a few guffaws. I think I did a couple of "I told you so's" and I am not ashamed to do that. The few chances opposition members get to say "I told you so" have to be taken. For an opposition member, sometimes no victory is too small.

Hon Ms Hošek: We've noticed.

Mr Reville: It is good to know that the Minister of Housing is finally paying attention here and that she is noticing things, because that may signal some possibility of redemption. I would hope that were true.

In any event, who could believe that we would be here a year later saying "I told you so" again? No victory is too small to be savoured twice.

Hon Ms Hošek: Or three times.

Mr Reville: Does the minister mean we are going to have to do it next year as well? Not me. I am not ever going to do this again. If there is one thing I am fed to the teeth with, it is this government not getting rental housing protection right. They have had all these chances. This is their third chance and it is still not right.

It is interesting that this one does not expire, kind of depressing, actually, because I think what it means is that they are finished and done with it. This act, of course, will mean that those

rental housing units that are not protected will disappear, so we will not need any broader legislation because there will not be anything to protect. That is too bad.

I have come to the end of clues that suggest comments to me out of the debate of 10 July 1986. I feel I have chastised the government sufficiently on this occasion. Thank you for your attention, Mr Speaker. I shall sit down.

The Deputy Speaker: Do other members wish to participate in the debate?

Mr R. F. Johnston: I would be happy to defer to a Liberal member if they have anything to say at all about this act, but if not, I would be glad to enter into the fray.

Interjection.

Mr R. F. Johnston: The member for Scarborough Centre has her hand over her mouth as she heckles. That is the least effective way to do it, I would suggest.

Miss Nicholas: I was just asking: What about the Progressive Conservatives?

Mr R. F. Johnston: Indeed. People everywhere are asking, "What about the PCs?" but this is another question. When we talk about endangered species, people do ask: What about the PCs?

I think what is being brought to my attention is that there does not seem to be a PC in the House. I do not know if members wish me to call a quorum call now in order to make sure I have at least one Tory to speak to. I am happy just to speak to Liberals, who are looking more and more like Tories anyway, so I do not have to be confused.

I think about those early days of reform zeal, going back now to the 1985 period, when some of us suspected that perhaps the reformism and the agenda was one of opportunism, a chance to actually get into government: "We'll do whatever the NDP asks, to do so even if those ideas are—not necessarily anathema to us but—are not where we would go. They're not the sort of direction that would be shown by a Liberal majority."

One has to look at this particular act, Bill 211, to understand just what has taken place with this government over these last few years. When we forged the accord, from which many people wish to distance themselves these days—I do not choose to. I still believe it was one of the best policy documents that was ever drawn up. The more I see this bluing of the Ontario Liberal Party as it moves further and further into the old-style Conservatism of Ontario, I say to myself that it was a very special and unique piece of work,

without which this bluing would have taken place much more quickly than it has.

Certainly, since the Liberals have become a majority of 94 desk-thumping souls in the cacophony of support for all the Premier (Mr Peterson) and his friends bring forward, I would have to say the change has been quite dramatic and sad to see.

Mr Speaker, you may recall, even though you were not in the House at that time, that one of the key elements we wanted in the accord was the question of more protection for tenants in Ontario. There were a number of aspects of rental protection which we talked about; some of them in terms of protecting the housing stock, others for upgrading the protection in law for tenants who had housing, in terms of their rights vis-à-vis those rights of landlords, and trying to get a little more equity there for them.

But we had a package which was signed by the Premier and agreed to. It had specific amounts by which rents actually could be raised. In one section it had this requirement to bring in rental housing protection for protecting the stock from demolition and conversion, which was taking place at a terrible rate in those days. In both areas, the government failed us.

The first slipback from the agreement to the letter of the accord was in the question of rents. We had suggested, as some members may know—not many of the members here today were actually in the House in 1985—a rate of increase of only four per cent. Unfortunately, even though that specific percentage was written down in the accord, the government did not see fit to maintain that level of increase but went a good percentage point higher than that in its first increases that were put forward in January of the next year, as I recall.

The second area which is most disappointing is that the government came through with a bill which, as the member for Riverdale (Mr Reville) has mentioned, was brought forward on 11 June 1986, an act to protect rental housing in Ontario. Unfortunately, that act was hastily and poorly drawn up, and as a result of that was wisely given a time limit of two years, by which time the government would bring in permanent legislation to deal with this whole question of protecting the rental stock in Ontario and stopping conversion to condominiums and stopping demolition, which were taking place without control in Ontario prior to that time.

I remember the debate. It was interesting to be reminded of it by the member for Riverdale today. We did say to the government at the time

that it was making a mistake, in the way it was precluding certain kinds of residences from protection and that thousands and thousands of units of rental stock would be lost because of this lack of protection. I think the member today has alluded to 79,000 units which would not be covered during that time.

We said this should not have been the point of legislative action, that the protection of all tenants should have been the goal; that only very small units in families' homes, very small units of that sort with special relationships to the landlord should be exempted and all other buildings should be protected, because in point of fact, those small buildings, those sixplexes or fourplexes or duplexes in some cases, were very special and necessary housing options for people.

1610

I would remind members that in 1984-85 we were losing rental housing stock in the east end of the city of Toronto at an amazing rate. We were losing stock from rooming houses up through the small apartment buildings faster than housing—at least rental housing—was being built in Metropolitan Toronto at that time. Whole areas of the city, like Cabbagetown, which had previously had a very large proportion of people renting and often at very reasonable kinds of rents, were being taken off the market and people were losing housing and there were not many options for them.

As members may recall, it was not unconnected that in the same period of time we started to hear about homeless people in Toronto. It was at the time of the closing of those rooming houses and the closing of the small apartment houses that were available in those kind of parts of the city that this kind of problem of homelessness first started to be seen, as evident in the city of Toronto at that time.

We said to the government: "We would rather that you did not take two years. This is a really important piece of legislation. It is part of the accord. Doing something temporary is not what we were after when we made that agreement with you in terms of giving you the responsibility of governing the people of Ontario. We would rather you moved more quickly." In fact, I remember the member for Riverdale chastising the government and saying: "You probably will not even be ready in two years to make the proper amendments that are necessary." Truly, that turned out to be the case: that when June 1988 came around, the government still had not prepared permanent legislation. So we were

caught in a similar kind of situation to that which we are in now. At the very last minute, we are being asked to approve a piece of legislation because a deadline for the temporary legislation runs out as of tomorrow: 30 June.

At that time in 1988, we sat again in this House and many people rose to speak about the fact that we felt compromised by having again to extend that Rental Housing Protection Act, which we saw as flawed in a major way and which had left many people in jeopardy for those two previous years, where we saw more and more evidence that condominium conversion was taking place at an increasingly rapid rate and that the lack of controls were in fact exacerbating the housing crisis and the homelessness crisis that we already knew were out there. There we were in June of last year finding ourselves approving, only in seconds, a second temporary piece of legislation. Again, the government set itself a deadline and the deadline is tomorrow, 30 June, for this act finally to be proclaimed.

Coming back to my thesis about the Toryfication of the Liberal Party, I think one only has to look at the tiny number of changes that have found their way into this act and the admission by the government of Ontario and the Minister of Housing in particular that it and she do not wish to protect large numbers of tenants. One has to say that this is not a Liberal reform bill. This, in fact, is very much a Tory piece of legislation. This is not the Liberal government of Ontario taking an idea which was found in the accord and then improving upon it and making it more liberal, more inclusive, for tenants in Ontario. It is in fact a piece of legislation which is going to leave thousands and thousands of people unprotected and loopholes in place for people to build housing and not have it registered as rental housing but have it registered as condos and not have to worry about the conversion aspects of the legislation. It is a kind of legislation which will do nothing to enhance the percentage of rental accommodation which is available in Ontario, which is so necessary now. In fact, it will make it worse.

This might seem like an academic kind of discussion or debate which is perfunctory and of no merit and no meat, but I think members have to look at a place like Metropolitan Toronto which is quite different from their own home communities in terms of the need at this stage for rental housing. That is not to say there is not a need in the Windsor area, but I just want to make a point about the desperate situation that we have now in the city of Toronto.

We now have a situation where our world-class city, as it has been termed by this government, has housing that one can purchase, home ownership, which is unaffordable for virtually everybody in our society. Only a very small percentage of people actually earn the \$90,000 a year which is required to own a first house at an average cost in Toronto of \$250,000.

At the same time, we have a huge proliferation of condominiums in the Toronto area. I could have brought today, as other members of the House have done in the past, ad after ad, full-page ads out of the Toronto Star, the Globe and Mail, the various papers in Metropolitan Toronto. I could have shown members condominiums for sale that range from \$250,000 up to well over a \$1 million for a three-bedroom penthouse condominium apartment in Toronto.

On one side of our housing development, we have this enormous increase in condominium stock at incredibly expensive rates, which most people cannot possibly afford. We have resale housing in areas like the area where I live in the eastern part of Toronto where the average price these days is around \$260,000 to \$270,000, something which is totally out of the reach of anybody who is just starting off.

I remind the members, as I have at other times in the House, that in 1970 a much higher percentage of people could afford to buy a house in Toronto than can do so in 1989. If we think about the values of our society and the importance we have put on home ownership for people, it does seem like we are slipping very badly in terms of the dreams of many of our people to own a home, to have a place that they can call their own and not just be tenants all their lives.

We have this enormous pressure against people being able to own their own homes. We have this incredible cost for condominiums, which, again, makes them as out to lunch as a real possibility for most people as the private home in the Beaches. At the same time as we have that, we have the Rental Housing Protection Act which leaves tens of thousands of people unprotected. It basically says: "We, as a government, are not going to guarantee that your house cannot be taken away from you, converted into condominiums which you could never afford or converted into for-purchase housing that you could never afford. You are being left aside."

I find that incredible. I find it important to note to the people of Ontario, who probably these days are only looking at the Liberals in terms of scandal, in terms of the Pattigat affair, which touches us all and hurts this whole system. I have

great regret about its taking up so much time in this place. I think it is unfortunate. But they are not thinking about where this Liberal government is going on such things that are vital, bread and butter issues like housing.

Here we have an opportunity for somebody who came into this House with some reputation for being progressive—I am speaking now of the Minister of Housing—somebody who was going to be seen to be a new face, new blood, new energy to turn things around and to put a real Liberal reform look on the government on one of its most difficult issues, the housing area. You look at one of her principal pieces of legislation which she has come forward with, Bill 211, and you say to yourself, "Is this the great, progressive act? Is this another major quantum leap forward from the legislation which is temporary and now on the books, which was flawed from its inception?" You have to say: "No, this is not what one would have expected from the Minister of Housing, whom we all had great hopes for. This is Tory legislation."

Interjection.

1620

Mr R. F. Johnston: I do not know why the minister is saying that I did not have great hopes for her; I did. I think it is unfair of her to say that I did not.

Most people saw her as a bright light coming in—and to think otherwise is unfortunate—from my limited knowledge of her at the time I certainly did, and it was of great concern to me. As a member of the opposition one does not want to have too many credible people in cabinet. As it turns out we have not had to worry about that a great deal. But this was one of the ones I had expected to take the lustre off the New Democratic Party, be on the reformist side of things and add a little lustre to the Liberals as reformers.

In point of fact, when I look at what has happened here, all I see is Tory legislation.

Mr Pelissero: We are so full of lustre.

Mr R. F. Johnston: So full of lustre? I will not make any comments about the hirsute or otherwise nature of individuals on lustre; I will leave that out. But I will say that this long-awaited legislation, since 1985—here we are, in 1989, and have lost thousands and thousands of units which are not protected—is not going to do much to add to the list of people who now have protection in Ontario. This important date should not go unnoticed.

I know the member opposite, who is encouraging me on here—and I appreciate her assistance—

would want me to draw attention to the fact that there is something a little ironically sad about the very fact that this is no longer an interim piece of legislation, because it deserves to be interim. Finally the date is being taken off this as to when it sunsets. It gives a sense of "this is it." This is all we are going to get from the Liberals, in terms of the whole question of demolition and conversion control. This is their answer. Finally, after four years, they have come up with their notion of what is an act that is fair, in terms of rental housing protection.

If this is it, then this is pretty disappointing stuff and means that even the ministers who came forward with such promise cannot get past the basic blue nature of the cabinet, perhaps of the majority of the caucus now and which is leaving us with this kind of disappointing legislation time after time in Ontario.

I will close with those remarks and say that I had hoped for much more, but I know I have colleagues here who are anxious to get their words on record as well.

Ms Bryden: The fact that there is a third-reading debate on Bill 211 indicates that certainly the opposition considers it a bill of extreme importance. It indicates also that we feel that the bill before us is seriously flawed. Therefore, we are making this last-ditch comment on the weaknesses in the bill in the hope that the minister, over the weekend, will consider how the bill could be amended Tuesday afternoon, when we get back to the Legislature after the long weekend.

Today is the last day to discuss legislation and this bill will expire 30 June. We regret that it will expire on 30 June without having been amended, because ever since it was introduced we have been attempting to tell the minister what the flaws in it are and how she could make it a much better bill in order really to protect people in rental housing in this province. But so far she and the government have resisted all suggestions of amendments.

I will commend the government for having brought in some fairly substantial amendments to the old bill. In fact, the new bill is a complete rewrite in many ways, but the problem with the new bill is that the rewrite was done over a two-year period, since that was the life of the previous bill, but it was done without any consultation with the people who are most affected. Tenants in many parts of the province have been gravely affected by conversions and demolitions which have been destroying our rental housing stock. Those tenants have been

unable to prevent the buildings—the housing stock, in effect—from being taken out from under them.

In Toronto, we lost 9,000 housing units through demolition or conversion between 1978 and 1986 when the first Rental Housing Protection Act was brought in. Everybody recognized that that 1986 act was essential to stop that kind of loss of housing units and that it was essential to protect the many people who were being harassed out of their buildings. Those buildings then were replaced by nonaffordable rental housing in most cases.

The 1986 act was very essential, but we very quickly found that the 1986 act was not protecting hundreds of thousands of people in the province. The first way it was not protecting them was that the number of units covered by the legislation was limited to those where there were five or more units in the building. All those who lived in buildings with fewer than five units had no protection. That was a reason for amending that 1986 act very quickly. As long as you left it unamended, there was no protection for those hundreds of thousands of people.

I know some of them; they live in my riding. They were in buildings where there were five or fewer apartments. They found that the building was sold and they soon received an eviction notice that either the landlord was going to convert it or that he was raising the rents. They knew that they had little or no protection. It is true he could raise the rents only under the rules of the Residential Rent Regulation Act, but in many cases, he intimidated people by demanding a very high rent increase under that act.

The tenants often were just not able to wait to see whether that rent increase would be approved under rent regulation. They were very nervous that they were going to have to face a rent increase that they could not afford or that the landlord would resort to the next device and declare that the building needed renovation and that the renovations would be such that they would have to leave the building.

It is true that the legislation gave the tenants the right of first refusal when they came back, but it did not protect them if the renovations were accepted as necessitating huge rent increases. In many cases, the tenants left before they found out whether the landlord was either planning legitimate conversion and expenditures that would justify a rent increase, or whether he was simply trying to harass them and get them to move out. In many cases, it was the latter.

1630

I would hope that on Tuesday next the minister will ensure that this bill will be in place to protect tenants in rental housing, but I think she will do it only if she can bring in an amendment immediately which would be acceptable to the people of this province and produce real rental housing protection.

The first one should be to reduce the number of units to all rental housing, because we know that with the present crisis in affordable housing, not only in the city of Toronto but in other major cities, the tenants are simply sitting ducks for intimidation and other methods of getting the building vacant. If the building has less than five units, the present protection they have is nil.

If they are over five units, the protection still requires action by the city councils to approve any changes or conversions. If these changes are going to involve the destruction of rental housing, the tenants simply have to rely on the local city council to protect them. Sometimes the local city councils are not willing to give them that kind of protection by refusing to approve a conversion.

So that second lack in the act is for some sort of appeal process from the decisions of the local council. I do not know that an appeal to the Ontario Municipal Board is necessarily a good appeal, because in the first place it costs the tenants considerably to make the appeal, and in the second place it delays for a considerable time the question of whether the conversion or demolition will be approved, which leaves the tenants in great insecurity.

This bill must provide security of tenure for all people in rental housing. That must be its objective and until it does that we cannot accept it. That is why we are talking this afternoon to let the minister know that if she really wants to get this bill through, she will have to amend it on Tuesday.

There is another area I feel the bill fails to cover: the question of people who are pet owners and are living in apartments. There is in many leases a clause that says "no pets." People have been signing leases with this clause, because they want rental accommodation. If they had a pet they hoped it would not be cause for eviction. But more and more landlords are putting this kind of clause into their leases on a universal basis for all their buildings and they are using this clause to evict tenants who are responsible pet owners. By so doing they are denying tenants the right to own pets, because about half the population of the city

of Toronto lives in rental buildings, and about 45 per cent in the province.

All those people are being denied the right to own a pet, even though they look after it carefully and even though the pet does not really disturb either the landlord or the other tenants. These people are denied a basic right to enjoy the benefits of owning a pet. For senior citizens particularly, or housebound people who are disabled people who cannot get out, a pet is a very important psychological aid to people to have a feeling of some sort of contact. Many of them live alone and their pet is their only companion.

The Attorney General has ignored requests to amend the Landlord and Tenant Act to outlaw "no pet" clauses, and so far we have not had any action on that. The situation is getting much worse. People are being evicted even though they are responsible pet owners. This is something that could be covered in this bill; it could be an amendment to this bill. Even though the building may or may not be under the Rental Housing Protection Act, no tenant should be evicted from his apartment simply because he owns a pet and is a responsible pet owner. That is the second amendment I would hope the minister could bring in.

I would hope the Attorney General would co-operate in making sure that the Landlord and Tenant Act also matches whatever clause is put into this bill to protect rental housing dwellers from this kind of inhumane harassment. In many cases the harassment is based strictly on the landlord's desire to get rid of tenants who pay low rents or whom he has some particular dislike for. The "no pets" clause is simply used as a device. That should definitely be outlawed.

The situation is also growing worse for tenants who are now renting condominium apartments. Many condominiums are now being built for rental. The owners rent them to tenants on an indefinite basis, but those tenants have no protection if the owner decides to evict them or to harass them. They really have no rights under the Rental Housing Protection Act. This is an area which must be extended as another measure that is absolutely essential to protect all the tenants in this province.

I think this legislation is a real challenge for the minister. I know she has commissioned studies of it over the past two years, but once again the studies were not circulated to the tenants' groups before the final report came out, and they were not involved in discussion on many of the issues. That is a technique I hope she will not repeat in

the future on changing rental legislation. It is a two-way street; the tenants know a great deal about their needs, and they know a great deal about the kind of dirty tricks, shall we say, that some landlords use to harass them out of their buildings.

Key money is another area where tenants are not getting sufficient protection. A few have gone to court, and one or two landlords have been fined for demanding key money, but most of them silently pay it because they need the unit if they are trying to move in. The trouble with key money is that it is not enforceable just by phoning up the police and saying: "Come and tell my landlord he must refund me any key money I paid. I found out it's illegal." You have to lay a charge before a justice of the peace. The tenants are usually unfamiliar with the process. Then they probably have to get a lawyer, and they do not have the money to do this.

We have to get a better method of enforcing violations of the rent regulations, such as demanding key money.

1640

My colleagues have mentioned some of the other areas where there is inadequate protection. One of them is the landlord giving notice to the tenant that he needs the property for his own purposes. The tenant then does not know whether the landlord is telling the truth. He has no means of checking whether the landlord's relatives or members of his immediate family are really intending to move in, nor does he have any means of checking after the event. If the tenant is forced out by this device, he has no means of checking how long those relatives stayed. In many cases, it is simply a ploy by landlords to get possession of a property, and the landlord is seldom required to prove that he has plans for family members to move in, that they will stay for at least two or three years and that it might be a situation where he has a right to ask for vacant possession.

I think we have to have something in the law which requires a landlord who gives that as the reason for eviction to provide a bond which he would forfeit if the relative does not stay for, say, a period of at least three years; also, that he has to give the name and address of the person he is definitely planning to have move in so that he cannot just say, "I have a relative," and if somebody challenges him, he goes around looking for one who will agree to move in for maybe a month or two.

That is an area where I have had a great many tenants complain. When they receive a notice

saying, "My immediate relative needs the property," they do not know whether to move out or to challenge the statement of the landlord in court. Many of them, of course, do not have the money or the time to go to a hearing. There may be a hearing if the tenant refuses to move out. They really are basically unprotected from this as a result of this loophole.

Maintenance standards is another area where we feel the ministry's legislation under the Residential Rent Regulation Act is very inadequate. Landlords are using the failure of the ministry to enforce maintenance standards as a reason for getting vacant possession. Many of them are refusing to carry out work orders. Unfortunately, the city departments that enforce work orders are somewhat swamped with work and it takes quite a long time to get a prosecution against a landlord who has refused to carry out work orders. The landlords simply let the maintenance of a property drift down and expect that the city enforcement authorities will not catch up with them before the tenant has finally got fed up with the lack of maintenance and moved out, which is exactly what the landlord was hoping.

Of course, after the tenant moves out, the landlord often demolishes the building, as he can under a new court order that allows him to get vacant possession, even without the approval of city council, if the tenants have been gone for a certain period.

In some cases, landlords also deliberately reduce maintenance. They cut off the hot water for two or three days. If they try to cut off the heat—of course, that is supposed to be prohibited by city bylaws about maintenance of a minimum temperature—it takes a while to get an order from the health department that the hot water must be restored. I have heard of people who had young babies and the hot water was cut off in their apartment for three and four days, and the landlord did not seem to be hurrying to do anything to protect the health of those babies.

This sort of decline in maintenance standards is something that must be outlawed in a much more rigorous way than this act does. I also heard of one case where the landlord hired a person who appeared to be a rather menacing tenant and who wandered around the halls, either bursting into apartments or harassing people who went by. He was not an employee of the landlord; he was not an administrator of the apartment. He was simply a tenant most people would prefer not to meet in the hall.

This is another way of making tenants fear that their lives are not safe, that corridors and stairwells of the building are places where they may encounter such characters and where they can be subject to any kind of harassment or even possible criminal activities; this sort of activity of bringing in tenants and then not evicting them when there are considerable complaints the particular tenant is destroying the enjoyment of the property for very many people.

We also are creating a great many problems by not protecting tenants, and these problems come from the human results of such lack of security for many of them. There are family tensions. There is great concern when they receive an eviction notice, even though that notice may not be correctly placed. The tenants do not know all the rules.

There is great uncertainty about a family's future if it does not know whether their building is going to be converted. When a conversion notice comes, they must have some means of finding out whether it is really genuine. This is another area that legislation must cover, to make sure that a request for conversion, and temporary eviction during that conversion, are really genuine. We have to have some means of the ministry's inspecting proposals, deciding whether they are sufficient to require the tenants to move out and whether they really are needed for the maintenance of that building. If they are intended to clear the building so that much more expensive apartments can be built, then we are not protecting affordable housing. Therefore we have to make the rules tougher for such eviction-for-conversion notices.

I think also that we have to make more requirements about informing tenants of the rules. I think it should be the ministry's job to make sure that tenants are aware of their rights and that when they get situations of eviction notices that do not necessarily appear to be correct or of demands for renovations, they should be well informed as to what their rights are.

There should be a telephone number operated by the ministry within each municipality or available to people in each municipality that will tell them what their rights are and that will assist them in dealing with the various processes they must go through when they get a notice under the rent regulation legislation.

1650

That is a place where I think the ministry is falling down, in not notifying tenants sufficiently of their rights. Without this sort of act applying to

all apartments, many of those tenants will be victimized. Without assistance to the tenants who are covered by the act, in knowing what their rights are under the act, they will be victimized too. I think the ministry could also make this a much better bill if it brought in this kind of amendment as soon as possible.

We certainly do not want to see this bill not in effect, but we are trying this measure to ask the minister to make it a better bill before she asks us to vote for it. We hope that the period will be very short and that we will have a much better bill as a result of asking for some amendments at this late hour. We would not have had to ask for them at this late hour if the ministry had consulted people more about the drafting of the bill.

I urge the minister to think about this over the weekend and to come back on Tuesday with some reasonable changes in the bill. Then we will have a better way of looking at whether we will vote for third reading.

The Acting Speaker (Mr M. C. Ray): Are there any comments or questions?

Mr Fleet: I am absolutely incensed at the irresponsibility on the part of the New Democratic Party and its willingness, apparently, to sacrifice the interests of tenants. It is absolutely unbelievable that they would be doing that, proposing to delay a bill that is—

Interjections.

Mr Fleet: I understand that they have indicated they are prepared to delay the bill.

Mr Jackson: What is that, a charge?

Mr Fleet: If that is not the case—

Mr B. Rae: No, that is absolutely false.

Mr Jackson: Absolutely false. Ask the member to withdraw his comment.

Mr Fleet: That was my understanding, that they are prepared to delay the passage of the bill. That is what I was informed while I was at committee, and I appeared in order to protect the interests of tenants. However, in the interests of harmony in this place, if I am wrong, I apologize.

Mr Philip: In the long tradition of the members for High Park-Swansea, whatever political party they belong to, he seems to be wrong again.

I did have a question of the member for Beaches-Woodbine (Ms Bryden) and that is that in the particular community she represents, unlike my community where we have large numbers of high-rises, there are a large number of fourplexes, duplexes and so forth.

I would be interested in hearing from her how many of these are disappearing from the rental housing stock, who is being forced out, what are the types of people who are being forced out of their accommodation as a result of these conversions, and indeed how many more people are likely to be affected by the very fact that this type of rental accommodation is excluded from any kind of protection under this bill.

The Acting Speaker: Order, please. There are a number of private conversations that are not helping matters here. Are there any other comments or questions? Does the member for Beaches-Woodbine care to respond?

Ms Bryden: The minister could announce today that she is going to bring in some amendments and I think that is a possibility we are hoping for. It does not have to wait until Tuesday.

The other thing is that as far as the statistics from my riding go, the ministry itself has studied the whole loss of housing stock and quite a bit of it was from my riding. I have brought to her attention certain individual cases where we have lost rental accommodation from fairly large apartment buildings, and it was entirely due to the fact that the tenants were harassed out of the buildings by some of these illegal methods I have mentioned, but the law never caught up with the landlords.

There is a fairly substantial group of tenants in my area who are seriously affected by the fact that the legislation does not cover them or has failed to protect them in the past.

The Acting Speaker: Other participants in the debate?

Mr Jackson: I am pleased to be able to put on the record some of the concerns I have with this intrusive piece of legislation. I, for one, was able to participate in the public hearings and the clause-by-clause discussion, and as a previous Housing critic for the Progressive Conservative Party had occasion to discuss the predecessor bill, Bill 11.

We all know it was brought in in a flurry of thrashings within the government over an incident which, albeit a very legitimate concern, was being experienced right here in the city of Toronto and was not symptomatic of a serious problem stretching out and reaching all corners of this province.

In fact, I look at the way this government is de-evolving its support and respect for private property rights. I see it having come in with rent control. Just as rent control in this province is becoming more intrusive, more regulatory, more

unmanageable, more unworkable, we are seeing the second phase of this type of legislation, which prohibits a landlord from determining the future uses of his personal property, in which he has made an investment. In some cases, this includes individuals who have worked all their lives and put their life savings into a very small piece of real estate, a piece of rental income.

I can say that I also have some personal experience, having dealt with families who have come to me from time to time who have invested their entire life savings in a small, three-storey, walk-up apartment building, and have heard the absolute frustration and concern they have had with respect to dealing with yet another piece of oppressive legislation that affects their own future retirement benefits in the instance of many of these individuals.

It would be wrong of me to suggest that is the only group involved in the ownership of real property in this province that is applied for rental purposes. We know that it is an activity for major corporations, and we also know that under certain circumstances it can be one of the soundest and wisest investments anyone can ever make.

Having said that, I believe this legislation fails to approach the real issue here, which is to ensure that housing in this province is secured, that it is safe at all times and that it is affordable. I think where we in the opposition get into difficulty is that this government fails to understand the notion of affordability.

One political party would suggest that an apartment unit is affordable as long as someone else has to pay the bills and the tenant's rent is cheap. There is no big dispute about that.

We do not really know where the governing party sits on this matter. I think the governing party still adheres to the principle of a universal program that anyone, regardless of his ability to pay or his income level, should be subsidized through rent control or be protected under this bill.

Quite frankly, I, for one, participate in a political party that has since understood that those kinds of policies have not worked in jurisdictions all over this world and in many jurisdictions right here in Canada, and those governments have seen fit to move to a more sensitive, a more tenant-based, income-levels approach to understanding the needs for affordable housing and to ensure they have safe accommodation.

Mr Mahoney: You didn't think that way when you were in office, though.

Mr Jackson: The member for Mississauga West (Mr Mahoney) should know that when my test of conscience occurred on Bill 51, I at least had the opportunity to stand in my place because my leader said that I could vote my conscience on that bill, and I voted against that bill. As a matter of fact, my leader—

Mr Mahoney: Then don't tell us your party agreed with it. Maybe you did; maybe your party did.

Mr Jackson: The member for Mississauga West speaks from two points of view—it just so happens they come out of either side of his mouth—the first one as a noted municipal politician who had very strong opinions about Bill 11 and about Bill 51 on rent control, but he came to Queen's Park and to a caucus where positions are put down on paper and every Tuesday morning they are told, "This is where we stand and don't worry about what it means, because the polls are telling us that we can survive this so-called principled position."

So the member for Mississauga West, who wishes to participate in the debate, and he will have his opportunity in a moment, could explain why his record is so inconsistent, but if he wishes to challenge mine, I can assure him that is a position I have held for many, many years, and I will continue to until this province understands the principle of affordability and what it means: that people earning \$150,000 a year do not need to be subsidized in apartment buildings.

Perhaps that is what the member believes in. Based on the recommendations of the Social Assistance Review Committee report, it is abundantly clear that there are huge numbers in our society who cannot afford housing when this government says it has given them ample protection under Bill 51. Clearly, the legislation is not working by the serious and tragic examples of the affordability problem for tenants on fixed incomes and on social assistance.

However, I am upset with this legislation also because it is predicated on the notion that tenants should never aspire to home ownership, that tenants should never aspire to the notion that they should try to create a bit of a nest-egg with their savings on which to build some equity. I can tell members that it worked in my family. It was the only way we were able to put my brothers and sisters through university. It was the only way my mother was able to be provided for in her retirement and in her widowhood.

I can assure members that it is inappropriate in terms of a social stabilizer that we would deny opportunities for thousands of citizens in this province—

Mr J. B. Nixon: There is nothing in this legislation that denies that opportunity.

Mr Jackson: Well, there is. The member for York Mills, parliamentary assistant to the Minister of Housing, wishes to participate in the debate. I cite for him the example of Denyse and Judy O'Leary. It is even in today's newspaper. This government has basically said that they may be involved in a criminal activity. What are they guilty of? One is a separated woman with a small child who wishes only to stabilize her accommodation, only wishes to create some sort of equity and future for her child, and yet she has to be made to feel by this government that what she was doing, to try and make sure that to find affordable housing she did not have to drive 60 miles out of the city of Toronto—

Mr J. B. Nixon: The courts decide guilt, not you or I.

Mr Jackson: Then let the courts decide. Do not take that woman through the courts with the kinds of statements that are coming from his government.

The Deputy Speaker: No interjections.

Mr Jackson: Thank you, Mr Speaker. The parliamentary assistant should familiarize himself more clearly with the important human side of the requests that are being made by some of those tenants.

The conditions and circumstances that were prevalent in the incident I cite at Oriole Parkway here in Toronto accounted for the concept of tenure for those tenants who were unwilling or unable to enter into any type of contractual agreement to secure long-term tenure through possible ownership.

The provision still provided for guaranteed tenure, but this government would not look at those kinds of opportunities to help people own property, to stabilize their accommodation, to ensure that a fund is created to secure the long-term needs for capital improvement and not leave this province to a future such as we have seen in Detroit, Chicago and New York, where similar restrictive legislation, through time, has allowed buildings to depreciate to a point where they are no longer useful or habitable.

I wish I had more time to get into this whole notion about the inability to provide vacant accommodation in order to effect these essential renovations to ensure that the existing stock of

housing does not degenerate to a point where it is no longer useful and ultimately is forced to be razed.

I want to quote, if I can, a statement from the Multiple Dwelling Standards Association that I thought was particularly appropriate. It is my understanding that this is one of the oldest and longest-serving organizations in this province concerned with the issue of ensuring that we have maintenance standards levels for buildings and that they are not allowed to depreciate to a point where they are no longer useful, and therefore that older housing is not lost as a resource to any of our older urban centres.

They started their presentation to our committee with this question. I ask all members who did not have the benefit of the public hearings to consider this concept. They said this: "If you legally ordered me to drive a 1940 Pontiac for the rest of my life, and, in addition, passed a law forbidding me ever to take it off the road long enough to repair it, your actions would be labelled absurd."

That was probably the clearest explanation of the effect of this bill, because housing is not just something lawyers talk about in a courtroom, as the parliamentary assistant will soon find out. Housing is a physical commodity. It depreciates. By depreciate, I do not mean something that is done by accountants on a balance sheet; I mean that there are buildings in this city that were built in the 1930s with open, bare and exposed wiring behind the walls. These are not safe buildings, yet we have a piece of legislation here that would specifically inhibit any opportunity for the owners of that property to ensure that safer, more standard wiring is applied to that building.

It has already been proven in a rather famous court case by the Multiple Dwelling Standards Association, and in fact a judge has ruled that you must provide vacant possession of a unit in order to effect certain remedies to a property. You cannot, for example, expect a child to be living in a room where extensive plastering is going on, because of the gypsum and the risk to the child's lungs. You cannot have senior citizens tripping over bare, exposed electrical wires. Yet this bill specifically inhibits the concept of vacant possession in order to effect these kinds of substantive repairs.

The bill goes on to restrict even further a landlord's ability to protect his own investment. But the point I raise here is not just the protection; it is also to ensure that the environment in which the tenant is living is safe for habitation. I have serious concerns about the manner in which this

bill treats the issue of renovations and public safety.

The government, in responding to these questions, suggests: "Don't worry. You remember Bill 51. We had a maintenance standards board." That is interesting. I always thought the maintenance standards board concept was interesting, given that most municipalities in this province have no maintenance standards bylaws and therefore do not have the necessary personnel in effect in order to go and inspect these buildings.

1710

When that was first announced by the then Minister of Housing, who is now the Minister of Skills Development (Mr Curling), I asked him a simple question the first day it came out in hearings. I said: "Tell me, have you asked anybody about the cost of this? Are you going to provide some money?" He said, "No, we are not providing any money." I said, "Have you at least told the Association of Municipalities of Ontario what the associated costs will be?" Within 24 hours, AMO was notified and they came running down from Kingston—the then president of AMO was the mayor of Kingston—and made a hastily prepared presentation to say, "Why is the province of Ontario imposing basically a piece of legislation for the city of Toronto on the balance of the province and asking local municipalities to come up with the funding?"

The long and the short of that story is that here we are three years later and the municipalities have still not been notified. We know that we have a provincially appointed board—friends of those who make order-in-council appointments; we have these individuals now in place—to deal with the issue of maintenance standards, but we have no guidelines specifically in the hands of the municipalities in order to determine when an apartment building is at risk or is not and what can or cannot be approved under Bill 51.

The government really has lost its opportunity to assure anyone in this province that it has a bill it can manage. On the other hand, they insist that the municipalities cannot handle the necessary administration to administer this bill on their own. I commend AMO's brief to all members of this House and hope that they would take time to consider some of the points because each of them represents members of AMO in some capacity or not.

I am concerned that on the issue on conversion, this bill took a decidedly anti-property-rights approach, which has been tried in several jurisdictions around the world; but it failed to

look at a consumer protection approach, and that has been tried in other jurisdictions of the world. Consumer protection would be a more sensitive and fair way to go in this province. It would suggest that buildings could be of multiple tenure; that a tenant could reside with someone who owns a unit; that they could participate in a collective fashion with respect to future renovations for the building, and that the government's current legislation could still apply in terms of the cost of rental within a given building that had some units which were owned and some which were not.

The government failed to look at that approach because it put pressure on the government to consult and to rethink its position on the universal nature of rent control. Until such time as it does that, it is going to lay more and more legislation on the whole issue of housing affordability and accessibility. Rent control started as a temporary measure in 1975, we all know it became permanent and all-inclusive, and now it has become totally unworkable.

This bill was brought in hastily by the government as Bill 11, with the same promise that it would be temporary; it had a sunset provision. Again we see the government now changing its mind. During the consultation period after Bill 11, it did not ask what opportunities existed for the government to plan for the future of Ontario's housing needs. The memo from the minister's office specifically said, "You tell us why we should not make this permanent." If ever a signal came from a government ministry that it had already made up its mind, that was one.

Quite frankly, as we have seen with rent control, Toronto had a malady but the rest of the province was forced to take the medication. We have got this problem all over again with Bill 211.

If I might, I would like to address the issue of process very briefly. I am very concerned that we are seeing more and more pieces of legislation come to this House in a very disjointed and haphazard fashion. Quite frankly, for a bill which has had its sunset provision extended for well in excess of a year—almost two years as a matter of fact—for this government to table 22 pages of amendments one day before clause-by-clause hearings was completely inexcusable and indefensible.

I understand that the Minister of Housing herself has been very busy in the House answering questions and making sure that she checks the conduct of certain people within her

ministry and certain financial returns from the last election, but still, all in all, the minister has a lot of employees in the Ministry of Housing. She has a lot of people who could have been a little more up front.

I guess by the minister's gestures to me she is basically suggesting that the parliamentary assistant she had asked to assist with this bill was occupied in that fashion, so perhaps I should withdraw the reference to her because it was perhaps her parliamentary assistant who was that busy. I withdraw my reference that she was that consumed.

There are 22 pages of amendments. Virtually every single public deputant before our committee had come and presented concerns based on a bill which her government was actually amending.

Interjection.

Mr Jackson: The minister will get her chance to comment. She knows the rules. She has been here long enough.

There is a lot I would like to say about this bill, about the specifics of how awkward it will be, how inappropriate it will be for the best interests of an accessible, affordable housing market in this province. We know that properties will depreciate to a point where they will no longer be useful or habitable. This bill will, in a way, only precipitate that.

In 1984, the previous government had commissioned a rather extensive examination of the whole issue of conversions and renovations, and preserving and protecting old rental housing stock. There was a clear and distinct recommendation contained in that report by Peter Barnard and Associates, I think, who did the research paper.

There was a clear and unequivocal statement that based on their examination of other jurisdictions, the restrictive nature of this type of bill—limiting condominium conversions, limiting renovations most specifically and not allowing the flexibility to replace new housing units for the opportunity to remove older, tired and perhaps unsafe units—would mitigate access to affordable housing and therefore should not be a policy pursued by the government of Ontario.

The government has seen fit once again not to respond to good, wise counsel, independent research and, quite frankly, a reasonable course of action. It has, however, reacted to media reports and it has reacted to a political agenda. This government must realize that it cannot always react to something as significant as

housing, something that will be such a stable and permanent feature of our society.

Many things will come and go, but we will always have a need for housing. Therefore, when the government approaches it from certain policy concepts, it must recognize its permanence. I know from my own ancestors who, as the minister would know, when they came from eastern Europe, fled from a kind of government that put undue restrictions on access to and ownership of their own property.

Those kinds of governments that destroyed private property rights created an exodus of the type of people we are very proud of today, who have come to emigrate to our province. There are many outstanding individuals on all three sides of this House, from all three political parties, whose ancestors came here for just that reason.

I for one lament and consider it tragic when we pass these kinds of bills which fly in the face of all that hope and aspiration that our forefathers had. I, for one, cannot be party to it and will therefore vote against this kind of legislation.

1720

Mr Philip: I thank the member for his statement. I found it interesting. I do not agree with his position on a number of issues, but I think he has brought up a number of interesting points: the lack of adequate compensation, the failure to really cost what this and other legislation this government is introducing will cost municipalities.

One area I would like to ask the member about, which I find I take some exception to, is the concept of a multiple-use building; that is, where there are both tenants and owners in the same building. We have had a series of experiences with that dating back to the Honourable Frank Drea, who as Minister of Consumer and Commercial Relations was quite concerned about the problem a few years ago; and a number of condominiums have been concerned about it.

It seems to me that experience has shown, and the literature shows, that where you have a situation where the building is, for the most part, rented and other units are individually owned, you have the worst of all worlds. You have tenants who are fearful of what is going to happen to their accommodation, but you also have owners who really do not have a controlling interest in the building and a say over their property rights, because in fact they are minority interest holders.

I suggest to the member that has been the experience. There are numerous cases now where we see that happening and there is an

awful lot of litigation on that. Notwithstanding the Condominium Act, people's rights as owners are being affected, because they find that in buildings where only 40 per cent of the units are sold, they are at the mercy of the principal owner, namely, the landlord. So I suggest to the member that is really not a viable solution.

Mr J. B. Nixon: I say to my colleagues in the Legislature that, indeed, this is legislation that we as a governing party, as a government and as Liberals can be proud of. What it has done is balance the interests of landlords and tenants, interests that in many cases are different and divergent, and interests that in some cases converge and we seek the same end.

What the member for Burlington South (Mr Jackson) fails to recognize is that there is a very human face to this legislation. There is a very real human problem which he has chosen to ignore, because he has chosen to represent the interests of a very specific few in this country.

The human problem is the problem of every tenant in this province, in urban areas where there is a tight rental market. This legislation does not prohibit conversions, it does not prohibit demolitions and it does not prohibit renovations. What it does say is that tenants have to be adequately housed in equivalent accommodation at a reasonably similar price before you can go about getting vacant possession to renovate. You cannot just throw the tenant out on the street.

If that is what the member is looking for, if that is what he wants the legislation to say, let him stand up and say it, but do not stand up and say this legislation prohibits renovation, because that is not the case. If he really wants tenants thrown out on the street, if he really wants their homes taken out from underneath them and demolished, he should say it, because it sounds like that is what he is saying and everything he has said so far today leads to that one conclusion only.

Mr Jackson: I would like to comment to the member for Etobicoke-Rexdale (Mr Philip) that he has failed to understand the point I was trying to make; that is, that it will work, multiple use, flexibility for these kinds of units, because all that is required is a consumer-based, consumer protection piece of legislation. The government has fundamentally looked at housing as some sort of legal right and not looked at protecting the legal rights of consumers who acquire property, either as rental units or in ownership.

That was the challenge I made. So I suggest to the member that he examine those jurisdictions which have overcome the very problem by

placing it in the hands of consumer protection. I draw an analogy—when the member said that groups of owners and tenants are fearful of each other, I challenge him to approach this the way I have approached the issue of group home bylaws. That is, people who live in the community already are fearful of those who, for their own special social needs, require to live and have the right to live in the community. The same set of circumstances exists, and I believe that all members of this House believe that we should be overcoming those fears by promoting legislation which allows for that flexibility of accommodation.

We accommodate the same types of situations with social assistance and assistance for those people who need to reintegrate into the community. I merely suggest that jurisdictions have taken that noble principle and have applied it to ownership and rental and tenure and they have done it with great success. I believe that there is sufficient example that would prove that Ontario is capable of showing that same sensitivity and that same flexibility in providing accommodation for rent and ownership side by side.

Mr Philip: I am aware of the clock and I do not want to speak at great length, but I do want to deal with a few of the issues because I feel strongly about this and because a large number of my constituents are very directly affected by this.

The member for Burlington South is wrong, I think, when he says that simply consumer protection legislation will protect the rights of the owners and the tenants, because in fact, even in jurisdictions which have various types of legislation which they have experimented with, you still have the problem of the minority interest holder in a building that is owned, for the most part, by a principle interest holder, namely, the original landlord.

You just cannot build consumer protection, no matter how intelligent and bright you are, that will overcome that major problem. It has worked in some types of buildings. It has worked in some very expensive, luxury condominiums, where you can have tenants who are paying \$2,000 or \$3,000 a month, where you have very skilled and very expensive management. Then it can work. But in the average building where you have ordinary people who have to make many of the decisions themselves, it just does not work, because the odds are too great on one side: the landlord, with his lawyers on one side, and the minority interest condominium or unit owners on the other.

The member for Burlington South, though, does make, I think, an interesting point; that is, that the landlord and tenant legislation in this province has been piecemeal and this is just another small piece. Part of the problem is that the pieces do not fit together very well. I disagree with him when he says the government is merely flying by polls, because if there was anybody who flew by polls, it was the Progressive Conservative government.

Indeed, I think it was the poll in 1975, in which New Democrats had made rent review a major issue that convinced Mr Davis, a Conservative Premier, to introduce what can only be called very interventionist legislation, by introducing rent review. So it is not just this government that is going by polls. Indeed, if you look at this type of legislation and you wanted to please the largest number of people, you would see that, in fact, they have not followed that route at all.

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Let me talk about some of the concerns, though, that I have about tenant protection. I think we are right when we say that there is a balance between the rights of property owners and the rights of tenants, but one has to look at what type of investment people make and in different ways.

I suggest that if the members look at the history of this legislation, way back even before Bill Pr13, which was the City of Toronto Act, we had people coming from the riding of Mr McMurtry, the then Attorney General, and from Mr Rotenberg's riding—I forget the name of the riding at that time—saying primarily: "We've lived in this community for 40 or 50 years. We have supported the shops. We have built these churches or synagogues"—in many cases; that area has a lot of immigrants of Jewish background—"and we have invested a lot. We happen to be tenants. We've made a different kind of investment than the landlord has, but we've invested a lot. We have built the structures and the society, and now we're retired and we want to live in that community."

That posed a real problem. They were led by a number of community groups. One of these people in particular very ably became a councillor or alderman, as it was called at that time.

In looking at investment I think one has to look at two types, including the investment of individuals who are tenants and who, for a variety of reasons, are not able to own their own homes.

My father was someone like that. During the time I was growing up, we lived as tenants over a

store. My father was self-educated. His father had died when my father was four, so he had to go out and work at a very early age. When my brother was very young he was extremely sick. They did not have medicare in Quebec at the time, so we never got to be home owners. But looking at the investment my father made in that community, it was substantial. He was president of the community organization. He organized all kinds of sports for children in the area, particularly baseball, but also some other sports. His investment was no less substantial than that of the lawyers and doctors who treated him as an equal when it came to community events, even though they lived on the other side of the community in very large and expensive dwellings.

I think it has to be looked at in that context. One cannot say simply that property rights are the only rights or the only investment. People have invested a lot in all kinds of ways and not just in monetary ways.

It seems to me that there is an unfortunate history of tenant protection in this province. First we had rent review, which was introduced and was fairly simple. I would argue that the Rental Housing Protection Act in its original form, while it had a number of problems—the major problem, I admit, being the protection of tenants in buildings built after 1 January 1976—none the less had a dynamic simplicity built into it, which is not in the present rent review legislation.

As my colleague the member for Oshawa (Mr Breaugh) pointed out during second reading, the present rent review legislation is so complicated that it is completely confusing to small landlords and therefore they feel frustrated by it, but it is also very confusing to tenants. Indeed, if one looks at it, it is so bureaucratic that there are very long waiting periods for any decisions to be made. It is very frustrating for those like myself who try to represent the interests of our constituents at the Rent Review Hearings Board, because it is extremely time-consuming.

In my own riding, which has a large number of new buildings, we have the situation that if the tenants feel they want to challenge the large corporate landlord, then they are not in a position to obtain legal aid services, because they do not meet the legal aid requirement. So you can be a single parent, paying \$700 or \$800 a month in rent, paying 50 per cent of your income in rent, and be in a situation where 25 per cent of the building may be in similar circumstances to you, but because the other 75 per cent are in a higher-income bracket, if there is a problem with that building and you need legal advice and legal

intervention on your behalf, you cannot get it under any kind of legal aid program.

That is a problem which the Federation of Metro Tenants' Associations and Metro Tenants Legal Services have pointed out to this minister, also to the Attorney General, yet we still have this problem.

There is an unfortunate history of opposition to this kind of legislation, first from the Conservative government. I mentioned Mr McMurtry and then Mr Rotenberg, who were strongly opposed to Bill Pr13; but before that, we had another interesting problem, that of tenants losing their units by a scheme called the percentage interest in a building with an allocation of an apartment. It was not a condominium, it was not a co-op, but you became a part shareholder in a building in which you were also a tenant. I can remember meeting with representatives of tenants' groups, with Frank Drea as the Minister of Consumer and Commercial Relations, and he said: "This is a diabolical, unfortunate situation. I am going to have lawyer X in court and you're going to see what I'm going to do to him."

He never did do very much. It took two years before any kind of legislation was brought in to try and deal with this, and by that time a large number of buildings in Scarborough and a couple in my own riding had disappeared from the rental market and had become a quasi-co-op condo and so forth. In one case the situation was so bad that Canada Mortgage and Housing Corp, luckily, bailed it out and we turned it into a legitimate co-op. It is working well now, thanks to Lantana Non-Profit Homes, but a lot of frustration and fear and personal anxieties on the part of the tenants were affected by it.

Then we had the situation of Bill Pr13. The kinds of arguments that the member for Burlington South has made were made at that time by the representatives of the Conservative government. Bill Pr13, though, was not just a problem for Metro Toronto. It may have been a problem of demolition in central Toronto at that time, but we said it would be a problem that would affect all of us. So at the time of Bill Pr13 I introduced a private member's bill that would spread the principle of Bill Pr13 across the province into all municipalities where this would happen. Of course, we have seen it was a problem that was spreading.

The then minister, now the Minister of Skills Development, introduced the original bill, saying: "The Rental Housing Protection Act will provide a breathing space while the pressures for demolition, conversion and luxury upgrading are

reduced through our rent review and housing supply initiatives."

That was 2 July 1986. Of course, those initiatives have not worked; we only have to look at the front page of the *Toronto Star* today, which says, "Housing Crisis Worsens, Study Says," and goes into detail about a study by the Social Planning Council of Metropolitan Toronto which says Metro's housing crisis is getting worse as more and more people are squeezed out of the rental and home ownership markets.

If we look at the studies by that and other social planning councils, we see that large numbers of people are being squeezed out of the rental market, but they cannot afford to buy condominiums or other forms of home ownership either.

The minister asked for a breather when he introduced this legislation on 2 July 1986, a breather that would allow this government to study the problem and act. The government has had this breather, but it has not acted and it has not solved the problem. If it had, we would not see headlines like, "Housing Crisis Worsens," on the front page of the *Toronto Star* today.

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The minister's original study, the compendium to the brief, basically says, "This is a way of dealing with the housing crisis in addition to other initiatives that have taken place for some time by this government." Let me give the exact words: "In December 1985 the government made a commitment to create a new supply of housing and to restore and maintain the quality of existing accommodation." Of course, that is in keeping with the statement by the then Minister of Housing, the present Minister of Skills Development a few months later that the government needed a breather in which to do this.

But what do we see? We see some of the programs by this ministry. There was the inquiry and study by the standing committee on public accounts looking at the Huang and Danczkay Ltd project. We looked at that some time ago, but I can recall the figures at that time. What you had was a situation where the taxpayers of Ontario were subsidizing a large private enterprise developer. At the end of 20 years, the units that were being subsidized would go back to the original developer. So he gets the property back in a certain period of time.

During all of this time, if you calculated the amount of subsidy, you would find out that it was actually higher than if the government had gone out and built a unit and actually retained the ownership of it. It is just a flat-headed kind of spending of taxpayers' money. If you are going

to subsidize something, then at least try to get the best deal. This is the kind of project that this government has wasted money on that should have been used to assist those people who badly needed help with rental accommodation because of an income problem.

When I pointed out to the minister that there were major problems with large percentages of the people who are in what are now rental buildings, namely those that were built primarily after 1 January 1976 but were registered as condominiums, she stated on 7 January 1988: "There will be a discussion paper issued and all the concerns he has raised will be part of it. We will be talking to all the people who are concerned about this and will try very hard to protect the interests of tenants."

I do not know whether she tried very hard. I assume she did her best. But the fact is that this bill does not solve that problem. The fact is that in my own riding some 49 per cent of the units are disappearing. They are disappearing a building at a time, as tenants are getting letters saying, "We're going to sell this building; it's going to be a condominium." The tenants have no rights other than to challenge in court whether or not the purchaser is going to occupy it for his own use or for that of his immediate family. So you have large numbers of people who cannot afford the units being displaced, and it is happening one at a time. I can give you the addresses, but I dealt with that during second reading.

In a sense, the minister has either broken a promise or, for whatever reason, been unable to keep that promise. In my riding, our calculation was that tenants in 3,495 apartments face the strong possibility of being evicted. We have seen a number of these. I had said earlier 49 per cent; actually, it worked out that 47.9 per cent of the rental units I represent could disappear, and they are gradually disappearing.

Since then, there have been some other apartment buildings built. They are being rented again, so the percentage would be over 50 per cent, if we take those into account. It just means that 10 years down the road, they will be the ones that will be converted whenever we get another hot boom in the sale of condominiums.

The minister says that in Metropolitan Toronto only 74 units have been converted since July 1986—that was in her opening statement—but if we look at the number of units in Scarborough, Mississauga and Rexdale that are being converted because they were registered as condominiums, then we get hundreds and thousands of units

that have been converted in the last two or three years.

That is why the Federation of Metro Tenants' Associations has expressed concern about this kind of thing; yet despite the concerns of these tenants, the minister has failed to deal with the problem.

We have also, as my colleague the member for Beaches-Woodbine has pointed out, a general insensitivity on the part of this government to some of the major concerns of ordinary people who are living in apartment buildings. We saw that in an issue that I raised in the Legislature, an issue which the Federation of Metro Tenants' Associations and indeed a number of other people, including the Toronto Humane Society, have been concerned about; namely, that a tenant does not have a lot of the same rights as people who own homes when it comes to whether or not they may own a pet. I find that unfortunate. I realize that falls under the prerogative of the Attorney General; however, the various interest groups that are acting on behalf of tenants, namely, the humane societies and the Metro tenants' federation, have in fact gone to the minister and said: "Please try to talk some sense into Ian. His hard line on this simply is insensitive."

I would like to read just a couple of letters, because they show what some people are thinking out there. Here is a letter from a person in Ottawa who says, "Canada is a country where 80 per cent of the population lives in cities." It goes on to point out that a large portion of these people are living in apartments and that if they are in fact in apartments, they should have the same rights as people living in detached homes. They should have the right to have a pet. It goes into all the details. It points out, as do numerous other letters that I could read, that the Attorney General, in his insensitivity in saying that people can choose either their pets or their leases is creating two kinds of citizens. I say that shows perhaps the personality of this government when it comes to this and so many other issues. It shows a complete lack of sensitivity.

This bill does not cover a number of people. My colleagues have pointed out that there are a number of units that are excluded. There are geographical areas that are excluded. The government has created a system now where it has actually created two types of tenants. I suggest that there are those who have protection and those who do not. That is a major flaw in this bill. That is why I cannot support the bill in its present form.

Hon Ms Hošek: I would like to thank the members of the House and, in particular, the members of the standing committee on social development for their co-operation in dealing with this important piece of legislation. There is no doubt that the Rental Housing Protection Act addresses an issue of fundamental importance to all residents of Ontario for long-term preservation of our rental housing stock. With the passage of this legislation today, we have in place permanent protection, both for the supply of rental accommodation and for the security of tenants in the province.

The Rental Housing Protection Act ensures that those who wish to convert, demolish, renovate or otherwise change the use of rental housing in Ontario must first obtain the approval of the local municipal council by meeting strict criteria.

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The new act also protects vacant rental buildings in the province retroactive to the date this legislation was introduced for first reading, which was 31 January 1989. Moreover, the legislation contains a number of important measures which will enhance tenant protection and improve enforcement of the act. In cases of harassment, the act provides for a minimum fine of \$1,000 and a maximum penalty of \$50,000 and one year in jail. As well, in such cases the municipal council may not approve any change to the use of a rental building for a period of three years.

In addition, new enforcement measures in the legislation permit the courts to return any units converted into municipal approval back to their former use and to re-establish tenancies in those units. In all, the Rental Housing Protection Act is a crucial piece of legislation which will enable us to ensure the future viability of rental housing in Ontario.

Motion agreed to.

Hon Mr Phillips: His Honour the Lieutenant Governor awaits to give royal assent.

ROYAL ASSENT

His Honour the Lieutenant Governor of Ontario entered the chamber of the Legislative Assembly and took his seat upon the throne.

Hon Mr Alexander: Pray be seated.

The Speaker: May it please Your Honour, the Legislative Assembly of the province has, at its present sittings thereof, passed a certain bill to which, in the name of and on behalf of the said

Legislative Assembly, I respectfully request Your Honour's assent.

Clerk Assistant and Clerk of Committees: The following is the title of the bill to which Your Honour's assent is prayed:

Bill 211, An Act to amend the Rental Housing Protection Act, 1986.

Clerk of the House: His Honour the Lieutenant Governor doth assent to these bills in Her Majesty's name.

His Honour the Lieutenant Governor was pleased to retire from the chamber.

The Speaker: Does the acting House leader have any words of wisdom for us?

BUSINESS OF THE HOUSE

Hon Mr Patten: Pursuant to standing order 13, I would like to indicate the business of the House for the coming week.

As members of the House are aware, Monday

3 July is the Canada Day statutory holiday and the House will not sit.

On Tuesday and Wednesday, we will consider second reading of Bill 37 and committee of the whole House on Bills 22, 23 and 24. We will then continue with second reading of Bill 33 and committee of the whole House on Bill 93. Upon conclusion of these debates, we will deal with bills awaiting third reading in Orders and Notices, along with the private bills awaiting second and third reading. We will then continue with second reading of Bills 35 and 209.

On Thursday, in the morning, we will consider private members' business standing in the names of Mr Black and Mr Philip. In the afternoon, we will deal with further business as determined by the House leaders.

The Speaker: It being so close to six of the clock, this House now stands adjourned until 1:30 of the clock next Tuesday.

The House adjourned at 1758.

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

NOTICES DRINKING/DRIVING COUNTERMEASURES OFFICE

128 Mr Sterling: Would the Attorney General provide a list of all staff, their job titles and salary

ranges, for the drinking/driving countermeasures office for fiscal 1986-87, 1987-88, 1988-89 and the projected staff complement for fiscal 1989-90? [Tabled 8 May 1989]

Hon Mr Scott: The answer is as follows:

Drinking/driving countermeasures office 1986-87

Incumbent	Job title	Salary range
Erskine, J. L.	Chairman	\$44,572-55,766
Bruce, D. L.	Director	43,800-57,100
Conroy, R. F.	Projects & admin co-ord	32,287-37,795
Bell, J. W.	Community liaison officer	34,568-40,774
Lefebvre, J. L.	Community liaison officer	34,568-40,774
Agnes, P. A.	Communications officer	33,930-40,143
Dennis, M. C.	Secretary	21,506-23,927
Williams, L. T.	Admin secretary	22,679-25,213
Beard, A.	Special projects co-ordinator	27,896-32,581

1987-88

Incumbent	Job title	Salary range
Bruce, D. L.	Director	\$46,577-58,275
Conroy, R. F.	Projects & admin co-ord	33,739-39,495
Bell, J. W.	Community liaison officer	36,012-42,384
Lefebvre, J. L.	Community liaison officer	36,012-42,384
Agnes, P. A.	Communications officer	35,358-41,736
Dennis, M. C.	Admin secretary	23,737-26,386
Beard, A.	Special projects co-ordinator	29,151-34,047

1988-89

Incumbent	Job title	Salary range
Conroy, R. F.	Acting director	\$48,719-60,955
Agnes, P. A.	Communications officer	37,030-43,665
Dennis, M. C.	Admin secretary	24,911-27,634

1989-90

Proposed staff	Job title	Salary range
Conroy, R. F.	Acting manager	\$48,719-60,955
Dennis, M. C.	Admin secretary	24,911-27,634
Buet, Danielle	Secretary	23,662-26,234

129 Mr Sterling: Would the Attorney General provide the budget allocation, actual expenditures and explanation of variance for the drinking/driving countermeasures office for fis-

cal 1986-87, 1987-88 and 1988-89? [Tabled 8 May 1989]

Hon Mr Scott: The answer is as follows:

Drinking/driving countermeasures office
((\$000s))

Fiscal year	Allocation	Actual	Reason for variance
1986-87	907.2	579.1	Ministry constraint
1987-88	943.1	868.5	Program savings
1988-89	1,852.0	1,842.9	Program savings

130 Mr Sterling: Would the Attorney General provide a list of the programs administered by the drinking/driving countermeasures office for fiscal 1986-87, 1987-88 and 1988-89? [Tabled 8 May 1989]

Hon Mr Scott: Fiscal year 1986-87: Interministerial committee on impaired driving (chair on provincial body); national steering committee on impaired driving (represents Ontario federally); Arrive Alive '86 (summer youth employment/community awareness program); Countermeasures '86 (fall conference); Countermeasures Newsletter; Wendy Crawford (visits to secondary schools); media campaign; community development visits by office staff.

Fiscal year 1987-88: Interministerial committee on impaired driving; national steering committee on impaired driving; Arrive Alive '87; Countermeasures '87; Countermeasures Newsletter; Wendy Crawford; media campaign; Statistical Yearbook; community development visits by office staff.

Fiscal year 1988-89: Interministerial committee on impaired driving; national steering committee on impaired driving; Arrive Alive '88; Countermeasures '88; Countermeasures Newsletter; media campaign; Statistical Yearbook; community grants program; Arrive Alive in-school-year funding program; anti-drinking-and-driving communications research project

131 Mr Sterling: Would the Attorney General provide a list of all organizations that received grants through the drinking/driving countermeasures office and the amount of each grant for fiscal 1986-87, 1987-88 and 1988-89? [Tabled 8 May 1989]

Hon Mr Scott: Fiscal year 1986-87: Students Against Driving Drunk, \$7,700.

Fiscal year 1987-88: Students Against Driving Drunk, \$8,300; People to Reduce Impaired Driving Everywhere, \$3,000.

Fiscal year 1988-89: Ontario Students Against Impaired Driving, \$15,000; People to Reduce Impaired Driving Everywhere, \$5,000, \$16,000; Action Sudbury, \$10,000; Against Drunk Driving, \$16,000; York Region Board of Education, \$2,500; Atikokan Community Counselling Ser-

vice, \$4,279; Awareness and Prevention Program of Kettle and Stony Point, \$2,057;

BACCHUS, \$15,000; Brant/Brantford Drinking Driving Awareness Committee, \$9,000; Chatham's Committee Against Drinking and Driving, \$7,500; City of Toronto department of public health, \$4,250; College of Social Sciences, University of Guelph, \$8,040; Council on Road Trauma, Hamilton-Wentworth, \$10,000; Eastern Alcohol Social Awareness Program, \$8,520;

Huron Countermeasures '89, \$8,000; John Howard Society of Victoria/Haliburton, \$2,000; MADD of Windsor and Essex, \$7,500; Mohawk Council of Akwesasne, \$5,000; Motorcycle Safety Council, \$4,000; PRIDE of London, \$9,726; PRIDE of Waterloo-Wellington, \$4,000; PAID/ABEC, \$4,868; Peel Community Drinking Driving Awareness Committee, \$6,000; Prescott-Russell and Glengarry Community Correctional Services, \$5,000;

REACT Canada Inc, \$5,000; Sault Ste Marie Drinking Driving Awareness Committee, \$10,000; SKID/ACEK, \$9,760; PARTY Program, \$10,000; Ecole Secondaire Plantagenet, \$1,000; St Joseph-Scollard Hall C. S. School, \$1,000; West Elgin Secondary School, \$1,000; Chatham-Kent Secondary School, \$1,000; Almonte and District High School, \$1,000;

Kingsville District High School, \$1,000; Ingersoll District Collegiate, \$750; Banting Memorial High School, \$1,000; Georgetown District High School, \$1,000; Highland Park High School, \$1,000; Mitchell District High School, \$825; Robinson High School, \$2,000; General Panet Senior School, \$400; Welland Centennial SS, \$1,000; Lester B. Pearson High School, \$1,000; St Michael's Secondary School, \$1,000;

Lively District Secondary School, \$1,000; Oakville-Trafalgar High School, \$8,618; New Liskeard Secondary School, \$1,000; Sacred Heart High School, \$1,000; Malvern Collegiate Institute, \$1,000; Atikokan High School, \$1,000; O'Neill Collegiate and Vocational Institute, \$1,000; Essex District High School, \$500; St Ignatius High School, \$1,000; Adam Scott Collegiate and Vocational Institute, \$1,000;

Stayner Collegiate, \$1,000; Saugeen District Secondary School, \$1,000; Loyola Catholic Secondary School, \$625; Ecole Secondaire Régionale Glengarry, \$1,000; Grand River Collegiate Institute, \$1,000; Lindsay Collegiate and Vocational Institute, \$1,000; Dr F. J. Donevan Collegiate Institute, \$860; Confederation High School, \$1,000; Ecole Secondaire Thériault, \$1,000;

Gordon E. Perdue High School, \$1,000; Gravenhurst High School, \$1,000; R. S. McLaughlin C and VI, \$550; Bayside Secondary School, \$1,000; Bracebridge and Muskoka Lakes SS, \$1,000; Cawthra Park Secondary School, \$890; Niagara District Secondary School, \$890; Mayfield Secondary School, \$1,000; Bradford District High School, \$900; Centennial CVI, \$7,700;

Eastdale Secondary School, \$420; Renfrew Collegiate Institute, \$916; Sydenham High School, \$1,000; Dunbarton High School, \$1,000; Sherwood Secondary School, \$1,000; St Benedict Catholic Secondary School, \$1,000; Nicholson Catholic College, \$1,000; Southwood Secondary School, \$1,000; Preston High School, \$1,000; Simcoe Composite School, \$1,000;

Adult High School, \$1,000; Chippewa Secondary School, \$500; Ecole Secondaire Régionale Hawkesbury, \$400; Kirkland Lake Collegiate and Vocational Institute, \$1,000; Immaculata High School, \$1,000; Nelson High School, \$1,000; Ecole Secondaire Algonquin, \$852; Kenner C and VI, \$1,000; H. B. Beale Secondary School, \$1,000;

Lambton Central Collegiate Vocational Institute, \$570; Smiths Falls District CI, \$1,000; Carleton Place High School, \$1,000; Central Elgin Collegiate Institute, \$1,000; Delhi District Secondary School, \$1,000; North Middlesex District High School, \$236; St Lawrence High School, \$1,000; Stratford Central Secondary School, \$1,000; Glenforest Secondary School, \$338.66; Monsignor Doyle Secondary School, \$1,000.

132 Mr Sterling: Would the Attorney General provide complete details of the communications budgets and expenditures for the drinking/driving countermeasures office for fiscal 1986-87, 1987-88 and 1988-89? [Tabled 8 May 1989]

Hon Mr Scott: The answer is as follows:

**Drinking/driving countermeasures office
(\$000s)**

Fiscal year	Communications allocations	Actual expenditures
1986-87	\$409.0	\$172.0
1987-88	\$265.0	\$118.0
1988-89	\$670.0	\$1,018.8

In fiscal 1986-87, the communications expenditures covered the cost of producing buttons, decals, posters and brochures, the production of a newsletter and a large conference. In 1987-88, the expenditures provided for the conference, newsletter, statistical yearbook and some reprinting of materials. In 1988-89, the expenditures covered the expenses of the conference, a television and radio media campaign, posters and other collateral material, a statistical yearbook

and a major research project to guide the production of future advertising.

133 Mr Sterling: Would the Attorney General provide complete details of all communications budgets and expenditures relating to drinking and driving for fiscal 1986-87, 1987-88 and 1988-89? [Tabled 8 May 1989]

Hon Mr Scott: The answer is as follows:

**Ministry expenditures
(\$000s)**

Fiscal year	Communications allocations	Actual expenditures
1986-87	\$912.0	\$858.6
1987-88	\$700.0	\$711.8
1988-89	\$0.0	\$115.5

In addition to the moneys accounted for in the answer to the preceding question, the Ministry of the Attorney General provided for communications dealing with impaired driving as listed above. In fiscal 1986-87, the expenditures were used for advertising campaigns in print, on radio and television and the production of brochures, posters and decals. In 1987-88, the expenditures covered the cost of advertising production and placement and the production of some collateral materials such as brochures. In 1988-89, although no funding had been allocated for anti-drinking-and-driving advertising, a sum was spent to provide for advertising.

OCCUPATIONAL HEALTH AND SAFETY

136 Mr Mackenzie: Will the Minister of Labour provide the following information for the most recent year for which complete data exist and for whatever more recent portion of a year data exist: (a) the names of all employers against which 100 or more orders were made under the Occupational Health and Safety Act, and the numbers of orders made against each; (b) the same information for employers against which 50 or more orders were made; (c) the same information for employers against which 25 or more orders were made; (d) the same information for employers against which 10 or more orders were made. [Tabled 9 May 1989]

See sessional paper 72.

TRANSPORTATION SERVICES FOR THE DISABLED

204 Mrs Marland: Would the Minister of Transportation provide a list, by municipality, of the number of people served by specialized transit systems for disabled persons in the province? [Tabled 12 June 1989]

Hon Mr Fulton: The answer is as follows:

1987 specialized transit statistics

Property	Trips-Total
Ajax-Pickering	11,804
Barrie	14,307
Belleville	6,217
Brantford	21,867
Burlington	26,931
Cambridge	6,514
Chatham	4,700
Cobourg	5,635
Cornwall	14,664
Dryden	3,094
Espanola	1,197
Fort Frances	1,553

Property	Trips-Total
Guelph	29,753
Halton Hills	5,776
Hamilton	278,000
Hanover	3,024
Kenora	6,860
Kingston	73,026
Kitchener-Waterloo	64,349
Leamington	2,126
Lindsay	9,177
London	69,073
Markham	8,570
Milton	46
Newcastle	2,277
Newmarket	4,872
Niagara Falls	7,350
North Bay	11,413
Oakville	9,173
Orillia	1,348
Oshawa	29,822
Ottawa	291,983
Paris	5,508
Peel	95,295
Peterborough	30,675
Renfrew	2,954
Richmond Hill	3,650
Sarnia	14,423
Sault Ste Marie	22,562
Scugog-Uxbridge	329
St Catharines	13,112
Stratford	21,412
Sudbury	23,315
Thunder Bay	60,226
Timmins	8,841
Toronto	603,795
Vaughan	3,048
Welland	6,342
Whitby	5,255
Windsor	47,207
Woodstock	6,828
	2,001,278

205 Mrs Marland: Would the Minister of Transportation provide a list of the number of vehicles (buses, taxis) available for specialized transportation of disabled persons in the province? [Tabled 12 June 1989]

Hon Mr Fulton: Station wagons/sedans, 43; modified vans, 122; small buses, 141; purpose-built vehicles (Orion II), 103; other, 2; total, 411.

There are at least 13 municipalities that augment their service through contract arrangements with local taxi companies on an as-required basis. In five of these municipalities, the taxi companies utilize accessible vehicles, and

four more municipalities will follow suit within the next month.

TRANSIT SERVICES FOR SENIOR CITIZENS AND THE DISABLED

206 Mrs Marland: Would the Minister of Transportation table a status report on the implementation of the \$84.1-million, five-year program for improving transit for disabled persons and the frail elderly, which was announced on 31 August 1987? [Tabled 12 June 1989]

Hon Mr Fulton: The \$84.1-million, five-year program, announced by this government on 31 August 1987, consisted of six initiatives to improve transportation for disabled persons and senior citizens.

In 1988-89, cabinet provided the ministry with \$8.2 million to increase the availability of special transit services. With this funding in 1989, nine municipalities initiated new service in 1988 and 59 municipalities expanded service.

On 8 June 1989, I announced an expanded eligibility guideline for the use of special transit to include individuals unable to walk to a bus stop. This will increase the number of users of special transit by one third and provide an additional 600,000 trips annually by the end of five years.

The 1989-90 allocation provided the ministry with a total of \$10.4 million for service availability and eligibility expansion. Over the entire five-year program, a total of \$50 million will be expended on these two initiatives (\$30 million and \$20 million respectively).

In 1988, the ministry commenced policy development work towards the four remaining initiatives included under the announcement (estimated five-year total expenditures included):

Forty-seven accessible taxis are operating or are on order in 16 municipalities, and discussions involving 96 additional vehicles are currently taking place in 19 municipalities (\$4 million).

Over 18 municipalities have so far incorporated a range of improved accessibility features in their 1989 bus orders (eg, kneeling feature, PA system, additional lighting). More detailed work is continuing on training and other features with consumer groups and transit operators (\$8.7 million).

Negotiations are under way with municipalities to achieve senior citizen fare reciprocity (\$10 million).

A proposed program for transit services in rural and small communities for the elderly and

disabled is under discussion with municipalities and consumer groups (\$11.4 million).

The ministry, in consultation with consumers and municipalities, is dedicated to improving the range and quality of services available to disabled persons.

FRENCH-LANGUAGE SERVICES

207 Mr Runciman: Will the Minister of Consumer and Commercial Relations outline the rationale behind the Liquor Control Board of Ontario's policy of replacing LCBO store signs with bilingual (English-French) signs in areas not designated under Bill 8, the French Language Services Act? [Tabled 14 June 1989]

Hon Mr Wrye: The LCBO's policy of eventually replacing unilingual exterior store signs throughout the province with bilingual signs is consistent with and supportive of the spirit of the French Language Services Act. Doing so in areas not designated under the act sends a clear and positive message to Ontarians and all Canadians travelling through Ontario in support of the province's French-language objectives.

Furthermore, this policy provides for the most cost-effective means of replacing obsolete signs. It was determined at the outset of the signage program, in August 1986, that it would be more economical to develop a single standard sign for all stores rather than carry inventories of two sets of exterior store signs. Store signs in communities not designated under the act are replaced with the new signs only when the existing sign needs to be replaced.

INTERIM ANSWER

192 Mr Harris-Hon Mr Eakins: The time required to answer this question is going to be longer than the 14 days allowed. The answer should be available on or about 14 July 1989.

RESPONSES TO PETITIONS

SOCIAL ASSISTANCE

Sessional paper P-16, re Social Assistance Review Committee report.

Hon Mr Sweeney: The Social Assistance Review Committee was established to review social assistance and related programs and to provide an overall set of principles and a framework to ensure that those programs reflect current realities. In September 1988, the committee released its report, entitled *Transitions*.

Transitions recommended that the government issue a statement within six months indicating

what action it intended to take with respect to the committee's recommendations. In April 1989, seven months after the release of *Transitions*, the province announced in the throne speech its intention to reform the social assistance system in Ontario. The province used an additional one month in early 1989 beyond the six-month period recommended by SARC to conduct a broad consultation process. This process was needed to assist the government in establishing priorities with respect to the reform of the social assistance system.

On 17 May 1989, the Honourable Robert Nixon, Treasurer of Ontario, allocated \$415 million on an annualized basis in the provincial budget for the implementation of a number of reforms to the social assistance system. On 18 May, I announced the full details of the reforms. Given the significant number of planned improvements to the system and the size of the changes, the time frames for the implementation of these changes are as short as possible. I believe that the course of action which the government has taken reaffirms its commitment to helping those people in Ontario who are disadvantaged.

BOUNTY ON WOLVES

Sessional paper P-19, re bounty system on wolves.

Hon Mr Kerrio: On 17 February 1989, the Honourable John Eakins and myself sent a letter to all municipalities advising them that the payment of bounties is illegal and that such payments by municipalities must cease by 31 October 1989. Obviously, municipalities, farmers and other land owners must have some means of protecting their interests from damage caused by wildlife.

Municipalities have been asked to contact their local district office of my ministry to identify local problems which may need to be addressed in the absence of bounties. My ministry, in co-operation and consultation with municipalities and other local interest groups, will ensure that mechanisms satisfactory to resolve the problems will be put in place. This includes permitting municipalities which are presently expending funds on bounties to redirect those moneys to programs to resolve specific, identifiable problems. I am prepared to grant written permission, under section 17 of the Game and Fish Act, to accomplish this purpose. We must move away from the approach of using broad eradication programs which are exemplified by the bounty system.

ALPHABETICAL LIST OF MEMBERS*

(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

-
- Adams, Peter (Peterborough L)
 Allen, Richard (Hamilton West NDP)
 Ballinger, William G. (Durham-York L)
 Beer, Charles (York North L)
 Black, Kenneth H. (Muskoka-Georgian Bay L)
 Bossy, Maurice L. (Chatham-Kent L)
Bradley, Hon James J., Minister of the Environment (St Catharines L)
 Brandt, Andrew S. (Sarnia PC)
 Breaugh, Michael J. (Oshawa NDP)
 Brown, Michael A. (Algoma-Manitoulin L)
 Bryden, Marion (Beaches-Woodbine NDP)
 Callahan, Robert V. (Brampton South L)
 Campbell, Sterling (Sudbury L)
Caplan, Hon Elinor, Minister of Health (Oriole L)
 Carrothers, Douglas A. (Oakville South L)
 Charlton, Brian A. (Hamilton Mountain NDP)
 Chiarelli, Robert (Ottawa West L)
 Cleary, John C. (Cornwall L)
 Collins, Shirley (Wentworth East L)
Conway, Hon Sean G., Minister of Mines (Renfrew North L)
 Cooke, David R. (Kitchener L)
 Cooke, David S. (Windsor-Riverside NDP)
 Cordiano, Joseph (Lawrence L)
 Cousens, W. Donald (Markham PC)
 Cunningham, Dianne E. (London North PC)
 Cureatz, Sam L. (Durham East PC)
Curling, Hon Alvin, Minister of Skills Development (Scarborough North L)
 Daigeler, Hans (Nepean L)
 Dietsch, Michael M. (St Catharines-Brock L)
Eakins, Hon John F., Minister of Municipal Affairs (Victoria-Haliburton L)
Edighoffer, Hon Hugh A., Speaker (Perth L)
 Elliot, R. Walter (Halton North L)
Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)
 Epp, Herbert A. (Waterloo North L)
 Eves, Ernie L. (Parry Sound PC)
 Farnan, Michael (Cambridge NDP)
 Faubert, Frank (Scarborough-Ellesmere L)
 Fawcett, Joan M. (Northumberland L)
 Ferraro, Rick E. (Guelph L)
 Fleet, David (High Park-Swansea L)
Fontaine, Hon René, Minister of Northern Development (Cochrane North L)
Fulton, Hon Ed, Minister of Transportation (Scarborough East L)
 Furlong, Allan W. (Durham Centre L)
Grandmaitre, Hon Bernard C., Minister of Revenue (Ottawa East L)
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)
 Haggerty, Ray (Niagara South L)
 Hampton, Howard (Rainy River NDP)
 Harris, Michael D. (Nipissing PC)
 Hart, Christine E. (York East L)
 Henderson, D. James (Etobicoke-Humber L)
Hošek, Hon Chaviva, Minister of Housing (Oakwood L)
 Jackson, Cameron (Burlington South PC)
 Johnson, Jack (Wellington PC)
 Johnston, Richard F. (Scarborough West NDP)
 Kanter, Ron (St Andrew-St Patrick L)
Kerrio, Hon Vincent G., Minister of Natural Resources (Niagara Falls L)
 Keyes, Kenneth A. (Kingston and The Islands L)
 Kormos, Peter (Welland-Thorold NDP)
 Kozyra, Taras B. (Port Arthur L)
Kwinter, Hon Monte, Minister of Industry, Trade and Technology (Wilson Heights L)
 Laughren, Floyd (Nickel Belt NDP)
 LeBourdais, Linda (Etobicoke West L)
 Leone, Laureano (Downsview L)
 Lipsett, Ron (Grey L)
 Lupusella, Tony (Dovercourt L)
 MacDonald, Keith (Prince Edward-Lennox L)
 Mackenzie, Bob (Hamilton East NDP)
 Mahoney, Steven W. (Mississauga West L)
Mancini, Hon Remo, Minister without Portfolio (Essex South L)
 Marland, Margaret (Mississauga South PC)
 Martel, Shelley (Sudbury East NDP)
 Matrundola, Gino (Willowdale L)
 McCague, George R. (Simcoe West PC)
 McClelland, Carman (Brampton North L)
 McGuigan, James F. (Essex-Kent L)
 McGuinty, Dalton J. (Ottawa South L)
 McLean, Allan K. (Simcoe East PC)
McLeod, Hon Lyn, Minister of Colleges and Universities (Fort William L)
 Miclash, Frank (Kenora L)

- Miller, Gordon I. (Norfolk L)
 Morin, Gilles E. (Carleton East L)
 Morin-Strom, Karl E. (Sault Ste Marie NDP)
 Neumann, David E. (Brantford L)
 Nicholas, Cindy (Scarborough Centre L)
 Nixon, J. Bradford (York Mills L)
Nixon, Hon Robert F., Deputy Premier and Treasurer of Ontario and Minister of Economics (Brant-Haldimand L)
Oddie Munro, Hon Lily, Minister of Culture and Communications (Hamilton Centre L)
 Offer, Steven (Mississauga North L)
O'Neil, Hon Hugh P., Minister of Tourism and Recreation (Quinte L)
 O'Neill, Yvonne (Ottawa-Rideau L)
 Owen, Bruce (Simcoe Centre L)
Patten, Hon Richard, Minister of Government Services (Ottawa Centre L)
 Pelissero, Harry E. (Lincoln L)
Peterson, Hon David R., Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)
 Philip, Ed (Etobicoke-Rexdale NDP)
Phillips, Hon Gerry, Minister of Citizenship (Scarborough-Agincourt L)
 Poirier, Jean, Deputy Speaker and Chairman of the Committees of the Whole House (Prescott and Russell L)
 Pollock, Jim (Hastings-Peterborough PC)
 Polsinelli, Claudio (Yorkview L)
 Poole, Dianne (Eglinton L)
 Pope, Alan W. (Cochrane South PC)
 Pouliot, Gilles (Lake Nipigon NDP)
 Rae, Bob (York South NDP)
Ramsay, Hon David, Minister of Correctional Services (Timiskaming L)
 Ray, Michael C., Deputy Chairman of the Committees of the Whole House (Windsor-Walkerville L)
 Reville, David (Riverdale NDP)
 Reyecraft, Douglas R. (Middlesex L)
Riddell, Hon Jack, Minister of Agriculture and Food (Huron L)
 Roberts, Marietta L. D. (Elgin L)
 Runciman, Robert W. (Leeds-Grenville PC)
 Ruprecht, Tony (Parkdale L)
Scott, Hon Ian G., Attorney General and acting Solicitor General and minister responsible for native affairs (St George-St David L)
 Smith, David W. (Lambton L)
 Smith, E. Joan, (London South L)
 Sola, John (Mississauga East L)
Sorbara, Hon Gregory S., Minister of Labour (York Centre L)
 South, Larry (Frontenac-Addington L)
 Sterling, Norman W. (Carleton PC)
 Stoner, Norah (Durham West L)
 Sullivan, Barbara (Halton Centre L)
Sweeney, Hon John, Minister of Community and Social Services (Kitchener-Wilmot L)
 Tatham, Charlie (Oxford L)
 Velshi, Murad (Don Mills L)
 Villeneuve, Noble (Stormont, Dundas and Glengarry PC)
Ward, Hon Christopher C., Minister of Education (Wentworth North L)
 Wildman, Bud (Algoma NDP)
Wilson, Hon Mavis, Minister without Portfolio (Dufferin-Peel L)
 Wiseman, Douglas J. (Lanark-Renfrew PC)
Wong, Hon Robert C., Minister of Energy (Fort York L)
Wrye, Hon William, Minister of Consumer and Commercial Relations (Windsor-Sandwich L)

*The alphabetical list of members appears in each issue. Lists of the members of the executive council, parliamentary assistants and members of committees, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

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No. 35

Hansard

Official Report of Debates

Legislative Assembly of Ontario



(REPRINTED)

Second Session, 34th Parliament

Tuesday 4 July 1989

Speaker: Honourable Hugh A. Edighoffer
Clerk of the House: Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 4 July 1989

The House met at 1331.

Prayers.

MEMBERS' STATEMENTS

QUEEN MOTHER'S VISIT

Mr Allen: On Thursday afternoon of this week at this Legislative Building, the Queen Mother will be officially welcomed to Ontario for a five-day visit to the province. Incredible as it may seem, the government is scurrying around trying to discover how it can keep the business of the House going that afternoon despite the presence of Her Majesty.

Whatever is happening to our sense of protocol around here, not to mention our sense of propriety, courtesy or even common respect? The Queen Mum is not only affectionately regarded by thousands upon thousands of Ontarians, but with her husband, George VI, she paid the first visit of a reigning monarch to this country. With him, she was an inspiration and tower of strength to many during the dark days of the Second World War.

The last thing I heard, we were still a monarchy. The last time I looked, symbols of the crown were all around us in this place. The crown still symbolizes the good things that are different about this country on this continent, not least of all a high sense of the importance of the public sector, a disinterested public service, and that there is a collectivity that lies beyond private interests and constrains us all.

I call on the government to do the right and proper thing and adjourn this House on Thursday afternoon as a mark of respect for the mother of our Queen and the things that she and our Queen symbolize.

SHRINE CLUB OF NORTH AMERICA

Mr McLean: My statement concerns the invasion of Toronto by more than 90,000 fez-topped Shriners, of whom I am sure the members are all aware by now. If not, they will certainly notice the Shriners after a week of activities including massive parades, a monster bingo, a fly-past and a sail-past, to name but a few of the events associated with this week's 115th imperial session.

The Shriners have converged on Toronto to have fun, to share that fun with others and to inform the public about who Shriners are and what they do. Since the Shrine opened its first hospital in 1922, the Shriners have been active in helping those youngsters who, because of birth defects or accidents, have not had the opportunity to enjoy the fullness of a child's life. The goals of the Shrine involve helping a crippled child to walk or a burned child to recover by providing the best possible treatment, free of charge to all, regardless of age, creed or relationship to the Shriner.

Since 1922 the Shrine has established a network of 19 orthopaedic and three burn hospitals throughout North America that provide the most up-to-date care and treatment. Just recently, the Toronto Rameses Shrine Temple gave the Hospital for Sick Children \$1 million for a new patient care centre.

I would like to take this opportunity to welcome the more than 90,000 Shriners and their families to Toronto and remind all members of the Shriner's motto, "No man stands as tall as when he stoops to help a child."

T. J. AINSWORTH AND
JERRY MACKINNON

Mr Neumann: I rise today to congratulate two young men from Brantford who have represented this province and country well at a competition in Washington, DC.

Last month, T. J. Ainsworth and Jerry MacKinnon competed in the 40th annual Plymouth-American Automobile Association Trouble Shooting Contest. Competing against teams representing all 50 US states, these young men placed 18th. Considering that this was the first time a Canadian team had competed in this event, this was quite an accomplishment.

In a timed competition, contestants had to fix a new car which was rigged with carburetor, ignition and electrical problems, as well as complete a one-and-a-half-hour written test.

Credit must be given to their teacher at Brantford Collegiate Institute and Vocational School, Bill Corner, and to the staff of Brantford Chrysler, who provided a car on which the two students could practice.

Skills training is becoming increasingly important in the 1980s as industry adapts to the changing role of technology. I believe the terrific result achieved by T. J. Ainsworth and Jerry MacKinnon is indicative of the fine job being done by educators in Brant county and elsewhere in Ontario. I hope that all members will join in congratulating these two young men on their outstanding showing in the Plymouth-American Automobile Association Trouble Shooting Contest.

PLANT CLOSURES

Mr Allen: Plant closures continue to plague Hamilton and region. Just in the last few days we have heard of Chipman Chemicals in the east end, Greening Donald in the west end and Lundy Steel in Dunnville, and still we have no adequate plant closure legislation and inadequate adjustment services for employees.

Nobody knows how many Hamilton employees miss out on adjustment services, because there is no requirement to register small plant closures or the downsizing of less than 50 employees.

If you do get adjustment services, they vary incredibly. My staff did a survey of six closures. In the best three, between \$500 and \$2,000 was spent per adjustment per employee. The other three got between \$21 and \$115. Not surprisingly, the success rate in the placement of the first group in job and training placements was from 80 to 90 per cent, at equivalent wages, I might add, while the second group reached only 26 to 58 per cent, with no record of the wage levels in the jobs secured. The actual services themselves varied in a similar way in extent and quality, whether it was in résumé training or counselling or family support.

We need to readjust our adjustment services so that our displaced workers get fair and equal treatment. If workers are to accept industrial change without family trauma, loss of status and resources and if we want to build and not destroy skills and productivity in our workforce, we will move quickly to upgrade our employee adjustment programs.

TEACHERS' SUPERANNUATION

Mr Jackson: On Thursday the Minister of Education (Mr Ward) introduced a bill to amend the Teachers' Superannuation Act. He slipped it in on the day after school had closed for the summer, hoping that the teaching community would not notice, but the minister is surely mistaken if he thinks that draconian changes to

the largest pension plan in the province, the third-largest pension plan in the country, will go unnoticed.

In September 1988, the government invited the teachers to negotiate a new pension deal that would make them full and equal partners in the management of the pension funds. By January, after negotiations broke down over the principle of a third-party dispute-resolution mechanism, the Liberals had decided to proceed with their own agenda: increased contribution rates; merging the two funds and hence eliminating the actuarial surplus, and refusing to consider early retirement benefits.

The Liberals are not even following the advice of David Slater, the consultant they hired to advise them on this important issue. What the Liberals have tabled is a manipulative document that puts a political face on a basic pension rights issue.

In Ontario we depend on the teachers to help our children understand good judgement and fairness. I trust the Treasurer (Mr R. F. Nixon), a former teacher, is listening. It looks as if the Liberals have forgotten this important early lesson on the treatment of our fellow citizens.

1340

NONPROFIT HOUSING

Mr Mahoney: I would like to share with members of this House some of the thoughts of the general manager of Peel Nonprofit Housing Corp in its 11th annual report that was released just recently.

Peter Smith says in his report that in his view 1988 was the year housing began to emerge as a major issue in the public consciousness and on political agendas. Serious attention was focused on how to meet the growing need for affordable housing. He says:

"At the provincial level, it was gratifying to see a real commitment backed by positive and meaningful initiatives. As an acknowledged leader in the housing field with 12 years of demonstrated experience in running one of the most successful housing programs in the country, PNPHC was able to seize upon this new climate of opportunity.

"PNPHC completed four new projects in 1988, adding 336 units to our growing portfolio, and at year end the total number of units under management and construction was 3,422, making PNPHC the largest landlord in the region of Peel."

In October 1988 the corporation received an initial reserve allocation of 800 units under a new

unilaterally funded provincial housing program entitled Homes Now. According to Mr Smith, this represents the greatest commitment shown by any provincial government to date for nonprofit housing. I congratulate Mr Smith and his corporation for a job well done.

STATEMENT BY THE MINISTRY

RACE RELATIONS

Hon Mr Phillips: All members of the House will be aware that a white supremacist organization, a neo-Nazi group, staged an event in Minden over the past weekend. As I said in the House recently, such actions are despicable and are contrary to our provincial policy on race relations. They must be condemned in the strongest possible terms.

After the recent incident involving a Jewish synagogue and school in Toronto, officials of my ministry's race relations directorate and myself met with representatives of over 40 community groups. The results of those consultations have been, first, an outpouring of solidarity by community groups for the Jewish community and, second, development of plans for a forum on white supremacist activities and how they can be opposed in this province. This forum, facilitated by my ministry, will take place shortly.

In particular, the residents of Minden and many other individual citizens and groups are to be commended for their strong stand against racism. I know that all members of this House join with them in this stand.

I welcome the concerns expressed and the support shown by both of our official opposition parties in these matters, and I welcome their further suggestions and assistance.

RESPONSES

RACE RELATIONS

Mr B. Rae: First, I want to pay tribute to the citizens of Minden. I am sure other members saw, as I did, the number of people who participated in rallies and clear statements, I think particularly talking to children, about the implications of this kind of rally anywhere in Ontario. People are really to be commended for simply having come forward in their own way and showing such a sense of outrage at this expression, particularly on Canada Day.

This expression of hatred and exclusion, this expression of a point of view and a feeling about Canada is just so unacceptable and out of keeping with not only the spirit of Canada Day but, I

know, the views of the members of this assembly and the vast majority of Canadians across the country.

I would be willing, as I am sure other members would be willing—and I do not want to speak for the leader of the third party, but I know that any of us would be willing to do whatever we can in a constructive way to put our resources to work in helping to educate the public about the implications of these kinds of events and in exploring ways in which our own laws in this province can indeed be strengthened as we face this problem.

I can remember when I was the federal member for Broadview-Greenwood and the Ku Klux Klan began operations again in the east end of Toronto. We were able, by working with a number of community groups, to basically drive the Klan away. Their activities became so unacceptable in the neighbourhood that people generally just rose up in opposition to this kind of white supremacist activity. I think working with a whole variety of community groups is the way to go, particularly working with kids, with schools and with people on the street, so we can fight this racism as it emerges and as it is expressed.

Particularly distressing for me is the way in which this rally appeared to be attended by a number of younger people, and that is something all of us have to be awake to, aware of and respond to.

The other thing I want to say is how very proud I am at the outpouring of support for the Jewish community in the face of this neo-Nazi smear on Shaarei Shomayim Synagogue. I do not know if members saw, but there were groups from across the multicultural and multireligious spectrum of our province, all of which raised money in order to contribute to the reward for any information that might lead to the arrest of a suspect in the incident at Shaarei Shomayim.

That made me feel very proud to be a Canadian, very proud of the extraordinary links that are being built up, because all of us understand of course that while our own group may not be the subject of an immediate attack it is fair to say that if a group or an individual is allowed to get away with a racist attack on one group, that attack will be followed by others. I think it has been quite marvellous the way a number of groups from the whole gamut of organizations—church groups, religious affiliations, cultural communities and ethnic communities—across the province have joined together, because I think everybody understands that racism is our common enemy. It is an enemy

we all share and an enemy we must do more to fight.

I think the forum on white supremacist activities and how they can be opposed in this province is a good idea. I think that information and the glaring light of publicity are required in order to deal with this problem. It must never be allowed to become an underground problem. It must be something which we expose and which we do everything in our capacity to fight. I commend the minister for the work he is doing. As I say, on a purely nonpartisan basis, I am happy to offer my services or those of any member of my caucus at any rallies or forums he may be involved in, to make sure the word gets through and the word gets out that racism simply has no place in Ontario.

Mr Brandt: I am honoured to have this opportunity to associate my party with the remarks of the minister, who I think has acted responsibly and precipitously in respect to the matter of major concern in Minden that occurred this past weekend. I want to associate myself as well—it does not happen often in this House that you can find agreement from all three parties—with the remarks made by my colleague and friend the Leader of the Opposition.

The kind of racism that reared its ugly head during the course of the white supremacists' rally that occurred in Minden is the kind of thing that should concern each and every member of this Legislature, and I know that it does. It is the kind of insidious rally sponsored by unthinking people for the distasteful purpose of picking on groups and organizations that, in some instances, perhaps are not able or are not in a position to defend themselves. I think that is why society has a very clear responsibility and has a very clear requirement, if you will, to protect all members of society in the kind of Ontario we are attempting to develop here in this province of ours.

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I would like to say, as well, that I think it points out that when a situation develops, as it did in Minden, citizens who understand the kinds of concerns we share in this House did rally in support of the other side of the issue and indicated very strongly the fact that this group was not welcome in their community. They were helped, I believe, by the local newspaper in that effort, with the display of certain signs indicating that they were not a racist community and did not particularly welcome the kind of carrying on that took place at that particular time.

As the minister noted in his comments, I think it also points out the need for continued education, the need for the continued sharing of ideas with respect to how troublesome these kinds of activities are and how dangerous they can well be if allowed to grow, to fester and to continue unchallenged. They can be challenged very directly in the kind of educational forum the minister is talking about.

The white supremacists have absolutely no role to play in this province of ours under any conditions. We have worked very hard to develop a tolerant province, a province that is sensitive to a wide diversification of ethnic groups, nationalities and religions. The only way we can hope to continue to build on that kind of fundamental base that we have attracted to this province is to make sure that we do not allow the kind of thing that happened to occur in Minden. It was no reflection on that community; it just happens to be where they decided to hold this particular distasteful event.

But the only way we can stop that sort of thing is by the continued effort that I think we all have to make to educate the public generally as to what difficulties this kind of sickness—and I call it that with due thought for the meaning of the word—can cause in our society. So I congratulate the minister. Let's work together collectively, all three parties, to make this a more tolerant and more sensitive Ontario for all of us.

ORAL QUESTIONS

ENVACC RESOURCES INC

Mr B. Rae: I have a question to the Minister of the Environment. I wonder if the minister could tell the House, following the questions I put to him last week, exactly what discussions took place between members of his staff and Mr Muzzo's Envacc Resources Inc group, when those discussions took place and what briefing material the minister received as a result of those meetings.

Hon Mr Bradley: The only meetings I could think of that they would have been involved in would have been to explain the environmental assessment process for long-term greater Toronto area ideas. That would have been around the same time, I would think, that the people met with the Premier (Mr Peterson).

What they would do with a private sector person who would be potentially making a proposal is that often these people will come forward to ask what regime must be followed and what procedures there are in the environmental assessment process. They would outline the

procedures for the long-term environmental assessment that would take place according to any GTA proposals.

Mr B. Rae: I am sending the minister a copy of a memorandum which is from Harry Poch, who is one of the lawyers at the law firm of Gardiner, Roberts. The memorandum is dated 8 December 1988. It is addressed to Mr Beatty, who is general counsel to that firm. This memorandum outlines certain discussions that were held apparently between Mr Poch and Mr Gallon, who is the minister's special assistant for policy.

Can the minister tell us why Mr Gallon indicated to Mr Poch, as it would appear at the bottom of page 2, the names of the competitors to the Envacc group, and why in particular Mr Gallon would have said to Mr Poch, according to this memorandum, "Jim Bradley is supportive of the private sector if it comes in with community support, and he would scope the environmental assessment process to ensure its efficiency"? Can the minister explain why Mr Gallon would be saying these things to Mr Poch?

Hon Mr Bradley: I think I indicated clearly that the greater Toronto area proposal that would come forward would in fact be subjected to the full Environmental Assessment Act provisions. I think that when the Premier made the presentation to the regional councillors and representatives of the various communities who were present at the presentation, he indicated on that occasion that in fact it would be subject to the full provisions of the Environmental Assessment Act.

As the member would know, our policy is that it is not necessarily whether it is a public- or private-sector proposal that would come forward; it would be subject to the same rules, for instance, as it would relate to a landfill of this kind, if that were indeed the proposal.

Mr B. Rae: This document shows that a very senior member of the minister's staff not only was giving to one company, Envacc, the names of its competitors and the principals of its competitors but also, he was giving information with respect to the minister's private views, for example, his views on Mr Muzzo, Mr Church and the fact that apparently the minister is worried about Mr Gardner Church. It also gives views as to which would be the willing host communities, lists those communities and indicates precisely what material is going to be discussed by cabinet next Wednesday—that is to say, the Wednesday after 8 December 1988.

How does the minister feel about a member of his staff, according to Mr Poch and to this memorandum, indicating information on the names of competitors of Envacc, giving details of information to be going to cabinet and details of the minister's own point of view with respect to this very sensitive matter?

Hon Mr Bradley: I can say only that this is a memorandum from one individual to another individual, and I cannot verify the accuracy of the statements that are contained in here. The member has handed me a document which is a memorandum. It is one person's assessment of what went on at a meeting. I was not at such a meeting. I do not know if this is a correct assessment.

PROPOSED POLICE COMMISSION APPOINTMENT

Mr B. Rae: My new question is to the Attorney General. The Attorney General will know that in the Toronto Sun last week under the column of Diane Francis there appeared an account of the appointment, or nonappointment, of Mr DelZotto to the police commission, which is dramatically at odds with the account given by the Premier (Mr Peterson) and by the Attorney General. The account given by Ms Francis indicates conversations that she had with the member for Kingston and The Islands (Mr Keyes), and that as late as 1987 Mr DelZotto's name was still on the list of 50 names, potentially for the police commission appointment.

I wonder if the Attorney General can possibly explain how Ms Francis's account is so dramatically different from the information provided to this House by the Premier and himself.

Hon Mr Scott: I cannot explain all those things in the newspapers, but what I can tell the honourable member is what I have told him before about my own and the Premier's role in the process.

In early 1986 it came to my attention that Mr DelZotto was being considered for this appointment. I went to see the Premier about it, expressed my views and as far as I knew, that was the end of the matter and the appointment was never made. I am quite certain that if it had continued to be on the agenda, I would have heard about it the way I heard about in May 1986, and I did not. Nothing ever came of it and one cannot make all that much out of that.

Mr B. Rae: With respect, we cannot ask the Premier, because he is in Brussels; we cannot ask the former Solicitor General, because he is no

longer a member of the cabinet and he will not answer.

Hon Mr Scott: Don't make me feel as if I'm third on the list.

Mr B. Rae: We have no choice but to go back to the Attorney General.

Hon Mr Scott: I have some priority here.

The Speaker: Order.

Mr B. Rae: I think we are entitled to know from the Attorney General how he can explain the fact that for 18 months Mr DelZotto's name appeared to be before the government for an appointment to the Ontario Police Commission. How is it possible that on the second round in 1987 Mr DelZotto's name would appear again on that list for appointments to the police commission?

1400

Hon Mr Scott: I know the honourable member regards me as third-rate. He has to ask me questions and I have to answer his. But let me say to him I believe that if this appointment was considered after May 1986 I would have heard about it. I heard about it in the first place, expressed my views about it immediately and was told that the matter was not on the agenda.

I am quite satisfied that if it had come up again, I would have heard about it, if not before cabinet, certainly at cabinet. The reality, whatever some reporter out there is saying, is I was there and it did not come up again, to my knowledge.

Mr B. Rae: The key words are "to my knowledge." Can the Attorney General tell us—

Hon Mr Scott: Well, what do you want to ask me about except my knowledge. You asked me about Diane Francis's knowledge.

The Speaker: Order.

Mr B. Rae: All right then. Can the Attorney General confirm or deny—or does he know—when in June 1987 Ms Francis says, "I interview Keyes and he says DelZotto is one of 50 names on his list for the appointment," can the Attorney General explain if the name was not anywhere to be found and if the decision had been made in 1986, how is it possible that in June 1987 his former colleague, who was Solicitor General at that time, would be saying that Mr DelZotto's name was one of 50 names on the list?

Hon Mr Scott: All I can say is that I have been Attorney General throughout the piece. I served as Solicitor General for about eight weeks and I am Solicitor General again.

Mr Mackenzie: Look at all the trouble we're in.

Hon Mr Scott: Just keep quiet, Mackenzie, for two minutes.

I can tell the honourable member, with all the assurance I can give, that the name did not come up or come to my attention after 1986. I cannot explain what Ms Francis is writing. I can simply give the honourable member the facts of the case.

It is one thing to criticize us for making an appointment. It seems to me that it is sparring in the air to criticize us for not making an appointment that the member would not have us make.

Interjections.

The Speaker: Order.

Mr Brandt: My question is for the Deputy Premier. I would like to say, if I might, that the Attorney General might think of himself as third-rate in response to the question raised by the Leader of the Opposition, and we value his opinion in that regard on this side of the House.

The Speaker: The question?

PREMIER'S OFFICE LEGAL COUNSEL

Mr Brandt: My question to the Deputy Premier is with respect to the hiring of Stephen Goudge, the lawyer who has now been hired to investigate certain activities that have occurred in the Office of the Premier. I wonder if the Deputy Premier would mind sharing some information with the members of the opposition with regard to who is now paying for this lawyer's fees in the investigation being carried out. Second, would the Deputy Premier indicate who the lawyer will be representing in an official way?

Hon R. F. Nixon: The Attorney General has volunteered to answer that question.

Mr Brandt: I didn't want to deal with any third-rate people, though.

The Speaker: Order. It has been referred to the Attorney General.

Hon Mr Scott: Mr Goudge was taken on the staff of the Premier's office, with I think one other person, some time last week. I am not certain how he is being paid, but I presume it is in the normal budget of the Premier's office. If it is not, I will make inquiries and try to let the honourable member know.

Mr Brandt: Effectively what the Attorney General is saying then is that the taxpayers of Ontario are going to be paying for that, if that person has been taken on staff in the regular turn of events that occurs.

I would like to ask the Attorney General, since on a number of occasions the Premier has indicated that a certain Attorney General has the

best legal mind that he knows of—of course, he does not know everybody, but of those he knows—and he also has a very substantial legal staff available to him in the Attorney General's office, why is it now necessary, if this is going to be at taxpayers' expense, that we now hire another lawyer who is going to cost additional dollars? Why is that so necessary?

Hon Mr Scott: I will explain to the honourable member. As a result of the investigations that are under way, it may be necessary for the Attorney General or the crown law staff to give advice to investigating police officers as to whether charges should be laid.

I regard it as improper for me and my staff to participate in any way, therefore, in giving advice to the Premier's office on legal matters. The position of the civil law division of the ministry is no different. This is the practice that has been followed routinely under the previous government, and in those circumstances, I simply have to say I cannot give advice. It is in that context that a staff member—there was a vacancy, as the member will recall—has been taken on in the Premier's office.

Mr Brandt: I appreciate the Attorney General's making such a precise differentiation between the role that this lawyer would play in the Premier's office and the need for arm's-length relationships in his ministry. I am glad he pointed that out. It raises the question of why then his staff, or he personally, has already had meetings with Mr Goudge in order to consult with him with respect to how this entire matter is going to unfold.

On the one hand, the Attorney General is saying that he wants this to be totally arm's-length in order to appear, in the public's mind, that there is not a relationship; on the other hand, he has already had these discussions. How can he have it both ways?

Hon Mr Scott: It will be my duty to bring to the executive council a draft order in council for the establishment of the judicial inquiry, which requires a cabinet minute.

I have indicated to everybody, particularly my honourable friend and the Leader of the Opposition (Mr B. Rae), that I would be glad to consult with them about that matter. I have heard from the Leader of the Opposition in the usual way, through the press, and have taken full account of his views. I have met with the honourable the leader of the third party and his House leader in private to have their views on the scope of the inquiry. I have met today with the Chief Justice of Ontario. I have met with a number of other

people, including the staff of the Premier's office, to get their input as to the form of the order in council in draft that I should bring to cabinet.

What cabinet approves is, of course, for cabinet to say. It may bear every relation or no relation to my recommendation.

The Speaker: The member for Cochrane South.

Hon Mr Scott: But it was good to see you there, Andy.

Mr Brandt: I was delighted to be there. Sorry you wouldn't listen to reason.

The Speaker: Order.

Mr Pope: The Attorney General does not see anything wrong with his meeting with Mr Goudge. That says something about—

The Speaker: Thank you. Your question is to which minister?

Mr Pope: My question is to the Attorney General. Since he knows quite a bit about this, obviously, can the Attorney General tell me whether Mr Goudge has gone on leave or has departed Gowling and Henderson? Is he no longer in their employ? Is he just on leave? Is he going to return there after his tenure in the Premier's office? Just what exactly is going on over there as Mr Goudge is once again brought into a conflict-of-interest issue, an ethics issue, involving the Liberals of this province?

Hon Mr Scott: It is very difficult to take ethical direction from my friend, but let me very frankly say that I do not know the answers to those questions. The Premier's office retains its own staff, and it has made the determination in this case to retain Mr Goudge.

Mr Pope: The Attorney General knew that he had joined the staff of the Premier's office, but he does not know the terms of that employment, even though he has been selected by the Deputy Premier to be the spokesman for the government on this issue.

We want to know exactly the relationship of Mr Goudge to the Premier's office, who made the call to get him in here again, as in 1986 when the government had two inquiries going on and he was retained by the Liberal caucus. We are entitled to know how the public's money is being spent. Who made the call? Who hired him? I want the individual in the Premier's office.

The Attorney General is the spokesman for the government on this issue. He appointed himself. Now, he should answer those questions.

Hon Mr Scott: I will undertake to inquire about when Mr Goudge was hired, the circum-

stances under which he was hired, that is, whether he is full-time or part-time, and I will undertake to ascertain how he is being paid, that is to say, whether it is within the Premier's office budget or otherwise.

1410

Mr Pope: This is the same Mr Goudge who was retained in 1986 by the Liberal caucus with respect to two inquiries that went on during the summer and fall of that year. Can the Attorney General tell us why the Office of the Premier feels it necessary to retain counsel for this inquiry, which is the way it was put out to the public last week? What has he got by way of knowledge or conduct that he needs to hire a lawyer for?

Hon Mr Scott: That question, as usual, is scraping the barrel. I have never seen such McCarthyism in my life in this place, but that does not surprise me at all. Let me say one thing. The reason is that the Attorney General of the day—maybe the Conservatives did not do it this way—is not able to give legal advice to the Premier's office when an investigation is under way, because I have the obligation to give advice to the police, which I intend to do absolutely independently. So the Premier's office is bereft of the legal advice that is normally available to it in a noncontentious matter. That is why, no doubt, the Premier's office decided to retain Mr Goudge.

Interjections.

The Speaker: Order.

OCCUPATIONAL HEALTH AND SAFETY

Mr Morin-Strom: I have a question for the Minister of Industry, Trade and Technology with respect to his involvement in Bill 208, an act to improve occupational health and safety in Ontario. The minister and his senior officials have been working together with a coalition of industry associations called the Bill 208 Business Coalition, whose intense purpose is quite clearly to kill this bill.

I would like to ask the minister: What specific involvement has he had with this business coalition, what is his position on this bill and why is he as the Minister of Industry, Trade and Technology getting directly involved with a bill that is the responsibility of the Minister of Labour (Mr Sorbara)?

Hon Mr Kwinter: The member has presented that question once before and he has a total misconception of what this bill is. Bill 208 is an occupational health and safety bill but it also

deals in its broadest sense with training and the ability of our competitiveness. He absolutely knows that, yet he is standing up making accusations without any thought of what this bill means to not only labour and business but the total economy of Ontario. To suggest that I, as the Minister of Industry, Trade and Technology, should not be listening to groups that make up the client groups of my ministry is patently ridiculous.

Mr Morin-Strom: This minister received in one event alone last fall more than \$60,000 in contributions from the business community. This minister, rather than taking an independent, objective view of this bill, has become the protector of the business interest on it.

Interjections.

The Speaker: Order.

Mr Morin-Strom: Can this minister tell us specifically what meetings he has had with these business associations and what his specific position is on the bill? Is he in favour of the bill or is he against it? Does he want it stalled or does he want it killed?

Hon Mr Kwinter: I did not hear the total question, but I assume the honourable member was asking: What is my involvement in the bill, am I for it or against it and what is my position on it? Is that a fair estimate of what he said?

Mr Pouliot: Right.

Hon Mr Kwinter: This is a bill, as I said earlier, that cuts across the total economy. As the Minister of Industry, Trade and Technology, I make no apology for being the champion of business. I make no apology for that at all.

When a business group thinks that it is having a problem with any other ministry in the government, I have an obligation to bring its concerns to those people. That is my role. My role is to present its concerns and then the process, whether it be cabinet or whether it be a committee of this Legislature, will deal with it. But certainly the member would not deny a group that provides the jobs, that provides the buoyant economy that we have, a right to have access to that process.

Interjections.

The Speaker: Order.

PERINATAL CARE

Mr Jackson: My question is to the Minister of Health. The minister and her ministry have been aware since January 1989 of the crisis conditions which are facing the neonatal intensive care unit at Chedoke McMaster Hospitals. She would also

be aware that this is a regional service for approximately 1.8 million people in south-western Ontario.

The minister should also be aware that the beds in this program have recently been cut from 33 down to 30 and that, in the last month, 16 high-risk babies were turned away from this program because of facilities that were not up to demand.

My question is, why does her ministry refuse to look at the necessary provincial funding to restore the neonatal intensive care unit at Chedoke McMaster to a safe and responsible level?

Hon Mrs Caplan: I would like to reject the premises upon which the member places his question and tell him that at present the capacity of our perinatal system in this province meets the recommendations of the report of the Advisory Committee on Reproductive Care.

Chedoke McMaster is but one of a network of numbers of hospitals which provide highly specialized perinatal and neonatal care. I can say to the member that it is very common for one part of that system to be stressed at any one time and for another part to be underutilized. That is why the system is connected both by land and air ambulances: so we can make sure that mothers and their babies who require this highly specialized care have access to it as quickly as possible and as close to home as possible.

Mr Jackson: The facts that have been emerging both by conversations with Chedoke McMaster and recent press reports would indicate that the minister is not working with all the facts. These are critical matters.

Without an intensive care bed for a baby in need at Chedoke McMaster, they cannot accept a pregnant mother into obstetrics. Therefore, according to the doctors at the hospital, what has been happening is that they are causing more babies to be transported and, using their own words, it is increasing the chances of death and injury.

Just this last weekend, four high-risk babies were turned away from the Chedoke McMaster program. On the weekend, a doctor spent over six hours trying to get a newborn baby with severe internal haemorrhaging in from the Henderson General Hospital—it took six hours to free up a bed.

Now that the minister has received the studies, which are three years old, and her own ministry people have been pleading with the hospital not to reduce the service, will she confirm that she will fund five additional beds—

The Speaker: You have already completed the question.

Hon Mrs Caplan: I would say again to the member that we have a province-wide system which is designed to ensure that women in high-risk situations receive the very best possible care as close to home as possible. I would say to him that we have 13 participating hospitals which are now linked by a computerized registry.

We are always and at all times reviewing the capacity in the system. I would say to the member that at the present time the capacity of the total system in fact exceeds that recommended by the Advisory Committee on Reproductive Care and that we are at all times working with the participating members of that system to ensure that we have the province-wide capacity to meet the anticipated needs.

If the member has any specific situation he is concerned about it, I would be pleased to investigate, but the information that we have is that in fact the system is working well.

1420

GOVERNMENT ADVERTISING

Ms Hart: My question is to the Chairman of the Management Board of Cabinet. We all know that weekly community newspapers are a valuable source of local news and information, not only in small communities but also in the many municipalities that make up Metropolitan Toronto.

In my riding of York East alone there are several excellent community newspapers, among them the East York Times, the East End News and the Leaside Town Crier. These publications rely upon the revenue generated through advertising sales to a variety of customers, including the Ontario government.

Would the Chairman of the Management Board of Cabinet tell the House what criteria the government uses when deciding whether to place a particular paid advertisement in a weekly community newspaper as opposed to a large daily paper?

Hon Mr Elston: Basically, the criteria in placing any advertisements with respect to government programming are based on the coverage by each individual newspaper, whether it be a weekly, monthly or daily paper. It is in the best interests of each of the ministries to program its own publication of advertisements so that the largest number of people for whom it provides service can be alerted to the excellent programs which are available to the people of Ontario.

The criteria are how we get the coverage, where the papers are located and what other sorts of coverages are in place. But I have never doubted for a moment the necessity of weekly papers as a valuable instrument of making the people of Ontario knowledgeable about the excellent programs that this government is providing to the people.

Ms Hart: Surveys have shown that three out of four people read their community newspaper cover to cover and keep any single edition in the home for more than a week. This cannot be said for daily newspapers. Yet several publishers of community newspapers have expressed concern to me that the Ontario government has recently cut back its advertising in their newspapers and adopted a new policy which favours the wider-circulation dailies.

Is there any foundation to these concerns, and what assurances can be given to the publishers of weekly community newspapers that they will continue to benefit from the Ontario government's advertising campaigns?

Hon Mr Elston: The role of placement of advertisements in any newspapers in Ontario is to ensure that the people know about what is happening and what government programs are available. It is not in any way to be confused with sustaining any particular operation of any newspaper: daily, weekly or monthly, however often it comes out. The critical test for any of us must be whether the paper reaches a market that is not reached otherwise. Is it an effective way of communicating the news to people? Is it an effective way of making sure the programs are widely known and understood by the public?

I can say, coming from an area where weekly papers play an extremely strong role in communicating government policy and daily news from around the very large riding of Bruce, that we make sure that the key test, which is knowledge availability, is the one that is applied and not just whether there is a wide distribution for a daily paper. So the weeklies play a very big part. Our policies have not changed in that direction and in fact we would like to be absolutely assured that the various community—

The Speaker: Thank you.

PRESCRIPTION DRUGS

Mr Reville: My question is for the Minister of Industry, Trade and Technology. Inspired as I was by his advertisement that he is the champion for industry, I understand that it was on his intervention on behalf of Glaxo, a drug manufacturer, that he has interceded in a professional and

medical examination of drugs with respect to the Apotex drug that is a generic drug called Apo-Salvent. He, on the other hand, thinks the Glaxo drug Ventolin is a better drug.

Could the Minister of Industry, Trade and Technology explain whether he has some pharmacological expertise, why he did not go to the Minister of Health (Mrs Caplan) and why he thought he had better take this matter to cabinet and again undercut the Drug Quality and Therapeutics Committee, as this government is fond of doing?

Hon Mr Kwinter: The member talks to me about the qualities of the drug, and I think the Minister of Health can respond to that.

The Speaker: It has been referred to the Minister of Health.

Hon Mrs Caplan: As the member knows, we rely on expert advice from the Drug Quality and Therapeutics Committee when it gives us the assurance that generic drugs are in fact interchangeable with brand-name drugs and offer the very best and the same therapeutic results as brand-name drugs. He knows that our interest is of course the very best of therapeutic results.

A number of concerns had been raised, not only by the manufacturer of the brand-name drug but also by consumer groups: the Canadian Lung Association, the Ontario Thoracic Association and the Allergy Information Association. Cabinet thought it was prudent to make sure that all these concerns were addressed and the matter has been referred to the Drug Quality and Therapeutics Committee for its advice.

Mr Reville: The drug programs branch, a branch that reports, I assume, to this minister and not to that minister, wrote on 15 June that Apotex drug Apo-Salvent had in fact been recommended for listing in edition 27 of the Drug Benefit Formulary. This is the little book that tells physicians the drugs they can prescribe and expect to have paid for by the Ontario drug benefit plan.

The Ministry of Health approved this drug apparently until the intervention of the Ministry of Industry, Trade and Technology, with the result that this book has not been released. It is the book we all need, precisely after the 15 December cutbacks and special authorizations, to know which drugs doctors should prescribe for their patients. Whatever is going on?

Hon Mrs Caplan: In fact, cabinet acted prudently to ensure that concerns regarding quality and very best of therapeutic results were heard. I would say to the member that the Drug

Quality and Therapeutics Committee will be hearing both companies with interests in this matter.

Interjections.

The Speaker: Order.

Hon Mrs Caplan: I expect they will be hearing this matter within the next week and then reporting to cabinet their very best judgement. We expect their decision shortly, so that the new formulary will not be held up unduly. I want to assure the member, as well as all those concerned, that the concerns which have been raised will be thoroughly aired before the Drug Quality and Therapeutics Committee so that the interest of the best therapeutic results will be heard.

Mr Brandt: To the Minister of Industry, Trade and Technology: Was the minister aware of the fact, when he had representations with respect to the drug, that the ultimate cost to the taxpayer would be in the millions of dollars as a result of not using the generic equivalent that was available? What representations would he make to both his cabinet colleagues and the Minister of Health with respect to the economics of the matter as opposed to the pharmaceutical value of that particular drug?

Hon Mr Kwinter: I think I should tell the leader of the third party the situation. We have a situation where there is a drug that has not been approved in any jurisdiction in Canada. It was once approved by Quebec and then withdrawn. I had representations by Glaxo, the manufacturer. I am sure the leader of the third party will say, in all fairness, that I immediately had representations by a former colleague of his and the representatives of Apotex who told me their concerns. All I did was convey their concerns to the minister. That is where the situation is. It was not my determination as to whether it was right or wrong; it was my determination to convey their concerns. That is where the matter is now and that is where it will be.

Interjections.

The Speaker: Order.

Mr Brandt: I specifically asked the minister to respond to a question on the basis of the economics of the situation. I think a reasonable response from the minister might suggest some of the research activities that could be forgone as a result of one drug being picked over the other. All I am asking is for the minister to give us some indication of the position he took with respect to the economics of it. This drug has in fact been recommended. It is only a question of the minister's authorizing its use now in an official

way. The recommendation is on the table. It is either correct or incorrect and he can make that determination.

My understanding is that he is waiting now to accept the drug as being usable in Ontario, but what I want to elicit from the minister is some indication of what he actually did with these representations and what he did with respect to the economics of the situation.

Hon Mr Kwinter: I think the leader of the third party has a misapprehension of what went on. These concerns were raised with me; they were raised with me on the part of both parties and I did in fact convey those concerns. That was the extent of my involvement; I conveyed their concerns. The decision was taken in co-operation with the Ministry of Health and the cabinet. My role was to convey their concerns, which I did.

1430

DIABETES TREATMENT

Ms Collins: My question is to the Minister of Health. As the minister knows, the disease known as diabetes affects hundreds of thousands of people in this province. Kidney failure, blindness, heart attack and stroke are just a few of the potential consequences of this deadly disease. The minister also knows that early diagnosis and proper treatment of the disease significantly reduce the severity of the disease. However, treatment across the province is unequal in its application because techniques and technology are not shared as readily as they should be.

Could the minister consider establishing a position of diabetes co-ordinator in her ministry to implement an integrated approach to the health management of diabetes?

Hon Mrs Caplan: I would like to acknowledge the member's interest in this particular health care issue; I know she has raised this with me. Her question acknowledges the fact that the ministry has undergone a significant reorganization within the past year with the appointment of several co-ordinators who often have responsibilities in the area of disease-specific entities or services or target groups.

There are now seven co-ordinators within the ministry in the following areas: mental health, AIDS, emergency services, cardiovascular care, cancer care, women's health and native health. I would say to her that senior ministry officials met recently with representatives of the Canadian Diabetes Association, Ontario Division, to discuss the possibility of a diabetes co-ordinator.

Ms Collins: As I stated in my first question, the early diagnosis and treatment of this disease significantly reduces the mortality rate from diabetes, allows diabetics to lead full lives and thereby reduces the strain on the health care system. Could the minister inform the House what her ministry is doing to promote public awareness of the disease?

Hon Mrs Caplan: The member opposite raises a good point. It should be noted as well that there is a well-established network of diabetic services and support groups throughout the province. It is for this reason that a diabetes co-ordinator may not be seen as an urgent priority at this time.

However, it is important to note that as part of this well-established network, many hospitals in the province provide these services, generally on an outpatient basis. The health promotion branch funds a number of programs in the awareness and prevention strategies of the ministry. The public health branch works with both hospitals and the home care program in follow-up counselling. It is important to note as well that some 8,000 patients with diabetes, or some five per cent of all of the home care recipients, fell into this category last year and that the ministry's health research grants fund support for diabetic research.

I am very aware of the member's interest in this and I want her to know we intend to continue these activities and these initiatives to ensure that Ontarians and Ontario residents receive the very best possible services for the treatment, care and prevention of diabetes.

OCCUPATIONAL HEALTH AND SAFETY

Mr Mackenzie: I have a question of the Minister of Labour. I hope he heard the comments of the Minister of Industry, Trade and Technology (Mr Kwinter) about being a champion of business. Can the Minister of Labour tell this House how Triple-M-Demolition, operating on Stelco property, charged with the demolition of the huge old number three open hearth furnaces, which are literally as big as a stadium and contaminated with asbestos and stored transformers, could and would order one of the minister's own inspectors, Mr Haber, who was accompanied by Local 1005 health and safety officials, off the site and why he would immediately comply and leave the site even though he indicated he was a ministry inspector?

Hon Mr Sorbara: I am simply unaware that one of our inspectors was, as the member suggests, ordered off the site at that demolition project. I will undertake to look into it, and if

there is anything further to report to him, I certainly would be willing to do that.

Mr Mackenzie: It will not be hard to verify. The very next day the ministry inspector, Mr Haber, said he was calling a meeting of Stelco, the union and Triple-M-Demolition. Stelco refused to attend. The Local 1005 health and safety reps were not allowed to attend. Following the meeting, Triple-M-Demolition officials requested that Local 1005 contact them if they had any further concerns concerning health and safety on the site.

Is this a further indication of the impotence of the minister's inspectors or is it an indication of the emerging fact that the construction industry is really running the show in cases like this?

Hon Mr Sorbara: It is not an indication of any such thing. Let me just make the point with my friend the member for Hamilton East that this government has put into place very strict provisions and regulations regarding the handling of asbestos. Through our inspectorate and joint health and safety committees, we are there to see those regulations are in place.

Let me make a point about the construction industry as well. The member will notice that in Bill 208 there are very specific provisions that will give us for the first time joint health and safety committees within the construction industry to ensure that when we are building facilities and when we are taking them down, we put the top priority on the health and safety of the people who are doing that work.

SALE OF BEER IN STADIUMS

Mr Runciman: My question is for the Ministry of Consumer and Commercial Relations and deals with a press report in today's Toronto Star newspaper, dealing with his rejection of the London Tigers baseball team for a licence to sell beer in Labatt Park in London. The minister is aware that the government is allowing five other stadiums, professional football and soccer teams, to sell beer products in those stadiums in the province. Would the minister explain the rationale behind prohibiting the London team from doing the same.

Hon Mr Wrye: I would have hoped my friend the member for Leeds-Grenville had read instant Hansard. He would have been able to read the answer to a similar question asked by his leader last week. I will try again. The leader of the third party has now sent the question on to the member for Leeds-Grenville.

Very briefly, as I told the leader last week, as he knows, a pilot project was started about 1983

and it was determined during the time the pilot project has been under way that while it has worked well in some areas, it has not been without problems. Consequently, we have essentially decided to retain the status quo, which in effect is to transfer the licence from Exhibition Stadium to the SkyDome, because as the member now knows, that is where both the Blue Jays and the Argos play.

We have retained Exhibition Stadium in the case of professional soccer, although my understanding is that there will be no licensed games at Exhibition Stadium in the foreseeable future. Essentially, it is the status quo with a number of other changes the member may want to ask about in a supplementary.

Mr Runciman: I pointed out earlier today that the London Tigers is the only double A pro team in Ontario, the only club in the league, prohibited from selling beer at baseball games. Ottawa is attempting to secure a triple A baseball team, we hope starting in the next few years. I wonder if the minister is prepared to review the policy, so that it applies to professional sports teams in this province operating in a variety of stadiums throughout the province rather than restricting it essentially to major metropolitan areas like Toronto.

Hon Mr Wrye: The honourable member raises the dilemma we faced and considered and ultimately rejected. Perhaps he may reach a different conclusion, but I would suggest that had we extended the selling of beer in stadiums to Labatt Park in London under the aegis of being a professional stadium, we would have then had to consider the three single A stadiums that are now in place in Ontario, the three single A teams, and perhaps any triple A teams that might be in place in the future.

For now, I think the concern of the cabinet was that the allowing of beer and alcoholic beverages in baseball parks and football parks had not been without its problems. We want to continue in what is essentially still a pilot project in those larger facilities to try to see whether, with a number of new initiatives we brought in, some of those problems could be resolved. That is why we took the decision we did.

1440

UNIVERSITY ENROLMENT

Mrs E. J. Smith: I would like to direct my question to the Minister of Colleges and Universities. It has been brought to my attention in London that there has been a statement made by the University of Western Ontario that it will be

restricting enrolment of first-year students this year. I am very concerned to hear from the minister whether in fact this is true, what effect it will have on Western's enrolment and indeed what effect it will have on the enrolment and capacity of the university system in Ontario.

Hon Mrs McLeod: I appreciate the question because it gives me an opportunity to clarify our expectations about enrolment in Ontario's universities for this coming fall. I confess I was a little bit surprised at some recent statements of the Council of Ontario Universities about very high levels of demand, because my understanding of the information from the council was that the increase in secondary school applicants was something in the order of 0.4 per cent over last year.

Having said that, that is a continuance of very high levels of demand and I do recognize that, as always, the universities are responsible for their own admission decisions. I think it is important to note that in the past two years, with record high numbers of applications, the universities have responded very positively, including the University of Western Ontario, and are supported by some \$88 million in accessibility funding.

Members will be aware that we have announced just recently a further precommitment of funding in the next budget for universities that maintain very high levels of first-year enrolment and that experience growth as a result. That has been very positively received by all the universities. I am quite confident that across the system we will be able to maintain as a minimum the traditional 65 per cent of applicants finding admission.

Mrs E. J. Smith: Then I assume the minister is reassuring me and the House that there will be no negative impact and that qualified students throughout this province will find an appropriate place this fall when enrolments are completed throughout the province.

Hon Mrs McLeod: As I indicated, I am quite confident that with the support we have put in place, the universities will be able to respond to this year's demand for places. I think it is most significant for the universities that we have been able to commit this further \$46.7 million in the next budget and add it to the \$88 million in the current budget for accessibility. They will be able to make places available in those first-year classes.

There are two other factors that I just would like to recognize as influencing the universities' admissions decisions. One is a commitment to continuing to provide support for those universi-

ties that maintain their high levels of first-year admissions and experience growth in the system as a result. The other is our commitment to incorporate this funding into the base budgets of universities that do maintain these very high levels of enrolment.

PREScribed BURN

Mr Wildman: I have a question to the Minister of Natural Resources. I am surprised the minister did not have a statement today about the wildfire near the Shoals Provincial Park near Chapleau. Could the minister now explain how it was that a ministry-prescribed burn would get out of control, necessitating the implementation of water bombing and the use of 90 ministry firefighters to try to put out a fire that was out of control, and can he indicate what the status is now of that fire.

Hon Mr Kerrio: It is generally accepted that fire plays a very important role in the renewal of our forests. We have some 40 controlled fires a year for that very purpose. We generally burn many thousands of hectares for the renewal of new growth. The member could witness the fact, with all the kind of yawning that is going on over there, that some of the major forests in North America were allowed to burn because they felt Yellowstone National Park was getting a natural renewal.

Mr Wildman: I didn't ask about the purpose.

Hon Mr Kerrio: The member knows the purpose. I do not know why he put the question the way he did. He is from northern Ontario and he obviously does not understand the whole issue.

Having said that, in a controlled burn, when you have some 40 a year—we are very proud that we do not often have one get out of control as this one did—the facts can escape us from time to time, human frailties being what they are. All the studying that was done to have this controlled burn certainly did not keep in line with the norm and the fires jumped over into an area that was very dry, a budworm-infested area that is quick to take fire.

So it is not unusual. It is of course unusual to have one break away as this one did. I am sure my forestry people in that area are very disturbed and not too happy that this took place, but it is bound to happen that if you set fires, from time to time you will have one that might get out of control.

Mr Wildman: I did not ask the minister about the purpose of prescribed burns. What I asked him was how it was that this particular prescribed burn got out of control. He did not answer that,

except to say something about human frailty. Could he explain what human frailty in this particular case caused the fire or helped to cause the fire to get out of control, and could he tell us what the current status is of the firefighting to try to bring this fire back under control.

Hon Mr Kerrio: Certainly, the honourable member is trying to squeeze something out of this issue that is not factually based on why we do these things. We print a very important booklet explaining to many people why and how we have prescribed burns for many uses of forest renewal. That is precisely what happened there.

When I talk about human frailties, I am saying there must have been some particular aspect—

Mr Wildman: You don't know.

Hon Mr Kerrio: That is right. We do not know sometimes how these get out of control, but there have been 40 a year for many years going back into forestry practice, and to have the odd one get out of control I would think is not a bad record. Having said that, as the member has described, we have some water bombers and people on the site fighting the fire. It would appear that it would be described right now as out of control until such time as they have another couple of days fighting that fire.

To take it out of the context of the purpose is being somewhat irresponsible and I feel that is what the member is doing.

CONTAMINATED SOIL

Mrs Marland: My question is to the Minister of the Environment. Last 9 September, the ministry staff promised the people who live in the vicinity of the Tonolli plant in Mississauga that the soil would be cleaned up from the lead contamination by spring of 1989. It is now 10 months later and that cleanup has not started. What is the minister's answer?

Hon Mr Bradley: Some meetings have taken place between the staff of the Ministry of the Environment, the regional municipality of Peel and the city of Mississauga as to precisely how this can be carried out.

The member will recall the very successful negotiations that took place with the city of Toronto. The member for Riverdale (Mr Reville) would be particularly aware of this and of the cleanup that took place in his particular part of the city of Toronto. On that occasion, the city of Toronto shared in the cost at that time. What they did was share in the cost of the cleanout of the buildings themselves, which amounted to the inside costs. The Ministry of the Environment assumed the costs on the outside.

Of course, it is our intention to recover the costs from those we believe to be responsible. In the case of Canada Metal, we have indicated a court case. In the Niagara Street neighbourhood here in Toronto, we will be undertaking action to obtain those funds out of the company the ministry believes is responsible.

I hope to see this project move as quickly as possible. The member may be aware of this perhaps even better than I, being the member for the area; I think there have been some very recent meetings that have taken place that give some rise to optimism. Is that correct?

1450

Mrs Marland: I am not about to give the information to the minister. He can ask his staff his own questions. If he were interested in this issue, he would have the information and in fact he would have the answers.

It simply is not good enough that 10 months after his ministry said it would clean up in the spring of 1989, nothing has been started. It is not good enough that he stands there and says there have been discussions ongoing among the region and the city and his ministry, 10 months of negotiations. In fact, there have been no communications of any value among his ministry and the region of Peel and the city of Mississauga for some time now. The most recent action has been that the region of Peel has again said it will not pay for the cleanup. My question—

The Speaker: I was just wondering if you were going to get to it. You had said you were not going to give any information. Do you have a question?

Mrs Marland: My question is based on the fact that the minister asked me a question. What does he want me to tell the people of the Tonolli plant area, whom his ministry promised 10 months ago at a public meeting with 300 people that it would be cleaned up in the spring of 1989? It is now July 4.

Hon Mr Bradley: I know the member would want to use her own good offices to perhaps suggest that there might be a cost-sharing formula, as others in this House have been supportive of a cost-sharing formula between the city of Toronto and the Ministry of the Environment of Ontario, in other words, the taxpayers of Ontario at large assuming a very significant amount of that particular cost.

I want to assure the member that it is our intention to proceed with that. There have been activities that have taken place in there in terms of studying the precise extent of the contamina-

tion to determine which properties specifically should be cleaned up and what to do with those properties which are public but do not have the access of individual people within the community.

I want to assure her that we intend to proceed with that. I hope she will be supportive of our efforts to have some of the costs assumed by those in the local area. I know she will be supportive of the fact that we will be seeking to obtain from the company, which in the estimation of many is responsible, its financial participation.

REPORT BY COMMITTEE

SELECT COMMITTEE ON EDUCATION

Mr Mahoney from the select committee on education presented the committee's second report and moved the adoption of it recommendations.

Mr Mahoney: First of all, very briefly, on behalf of our chairman, the member for Eglinton (Ms Poole), I would like to thank all members of the select committee for their participation. The committee conducted extensive research and held public hearings in March and April 1989. I would like the members of this House to know that all members worked very hard to come up with a consensus. Along with the chairman, I would particularly like to commend the critic for the New Democratic Party, the member for Scarborough West (Mr R. F. Johnston), and the critic for the Progressive Conservative Party, the member for Burlington South (Mr Jackson), for their very nonpartisan views in working towards some recommendations.

The committee came up with three very short but concise recommendations with regard to the length of the school year and the length of the school day. I will not go through those, but suffice it to say that we found the proponents felt there was not only educational value to adjusting the length of the school year and the school day but also certain fiscal values that could be obtained.

The report will be available immediately following question period in the media centre and will be distributed to all members. Once again, I would like to thank the committee members for their co-operation.

On motion by Mr Mahoney, the debate was adjourned.

INTRODUCTION OF BILL

MINING AMENDMENT ACT, 1989

Mr Kerrio moved first reading of Bill 42, An Act to amend the Mining Act.

Motion agreed to.

Hon Mr Kerrio: Introducing the Mining Amendment Act for first reading, I want to make it perfectly clear that this is the only section of mining involvement that is in the Ministry of Natural Resources, and it is the gas wells in Lake Erie. The amendment affects only that part of the Mining Act.

Under that jurisdiction, this particular section governs the leasing of crown land under Lake Erie for the purpose of natural gas production. The terms of the leases, including the rents and royalties payable to the crown, are prescribed by regulation.

The fact of the matter is that there have been some royalties that were due and payable and there was some ambiguity in the bill as existed in the past. This is to clean up that regulation so that the one producer is going to be charged with the responsibility of making up for the past royalties that were due the province. I think it is very important that we pass this bill as quickly as we can for that purpose—

The Speaker: Thank you.

Hon Mr Kerrio: —because there is some \$11 million outstanding that can be collected once we are able to pass this bill.

The Speaker: I thank the minister for the explanation. Perhaps it can be discussed further on second reading.

Hon Mr Conway: If I might, my colleague and friend the member for Prince Edward-Lennox (Mr MacDonald), has a petition. We went quickly over petitions; there were not any today. He would like to present a petition. As an accommodation—

Interjection.

Hon Mr Conway: I am just going to ask for unanimous consent. If it is not acceptable, then the consent can be denied, but I would seek consent to revert to petitions so the member for Prince Edward-Lennox can present one.

The Speaker: Is there unanimous agreement?
Agreed to.

PETITIONS

BABY-SITTING SERVICE

Mr MacDonald: I have a petition with 1,500 names affixed to it:

“To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

“We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

“We thank the Lennox and Addington County Board of Education for supporting a baby-sitting service for students at Ernestown Secondary School and Napanee District Secondary School for the past nine years. Due to an interpretation of Ministry of Education regulations, the board felt compelled to cancel this worthwhile service as of June 30, 1989. We beg of you to allow the board to continue the baby-sitting service for one more year or until an acceptable alternative is in place.”

I have affixed my name thereto.

The Speaker: I should just check this out. There was unanimous consent, was there, to revert to petitions for everyone? Fine.

TEACHERS' SUPERANNUATION

Mr Miclash: I have a petition that reads:

“To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

“We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

“To amend the Teachers' Superannuation Act, 1983, in order that all teachers who retired prior to 31 May, 1982, have their pensions recalculated on the best five years rather than at the present seven or 10 years.

“This proposed amendment would make the five-year criteria applicable to all retired teachers and would eliminate the present inequitable treatment.”

1500

PROPERTY SPECULATION

Mr Laughren: I have a petition from a group called the Affordable Housing Action Group and they are petitioning us as follows:

“We, the undersigned, beg leave to petition the province of Ontario as follows:

“Given that the property speculation in Ontario has contributed to driving up the cost of home ownership, to increasing the cost of building nonprofit housing and to rent increases for tenants because speculators are rewarded under the provincial government's rent review law, we demand that the government of Ontario impose a tax on the capital gain on nonprincipal residences and land, so that 100 per cent of the profit is taxed away on resales within one year, 75 per cent of the profit is taxed away on resales within two years, 50 per cent of the profit is taxed away on resales within three years and 25 per cent of the profit is taxed away on resales within four years.”

There are literally thousands of petitions here, to which I have affixed my name only on the top one, because there are just too many to do

otherwise. I would hope that as the page takes this to the table, that the table will keep it.

WATER RESOURCES

Mr Reycraft: I have a very lengthy petition. It is signed by 794 residents of the village of Lucan. It draws attention to problems resulting from inadequate municipal water supply and asks the Ministry of the Environment to take immediate action to approve funding of improvements to that water supply system. It is signed, as I indicated, by 794 people and I have affixed my signature.

SECURITY IN PREMISES USED BY PUBLIC

Mr Sterling: "To the Honourable Lieutenant Governor and the Legislative Assembly of Ontario;

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"We request that the Ministry of the Attorney General withdraw Bill 149, An Act to amend the Trespass to Property Act, which we believe is unnecessary and without mandate. While we respect the rights of minorities and youth, whom Bill 149 alleges to protect, we oppose the way in which the proposed legislation will erode the ability of owners and occupiers to provide safe and hospitable environment for their patrons and customers.

"We are further concerned about the legislation's potential for increasing confrontation in the already difficult process of removing individuals who create disturbances on publicly used premises."

I have signed that, along with 120 other people, primarily from the Ajax-Pickering area, who would like this bill killed.

NATUROPATHY

Mr Neumann: I have a petition which reads as follows:

"To the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas it is my constitutional right to have available and to choose the health care system of my preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise

their art and science to the fullest without prejudice or harassment."

It is signed by 156 citizens of Ontario and I add my signature to it.

ORDERS OF THE DAY

ASSESSMENT AMENDMENT ACT, 1989

LOI DE 1989 MODIFIANT LA LOI SUR L'ÉVALUATION FONCIÈRE

Mr Grandmaître moved second reading of Bill 37, An Act to amend the Assessment Act.

Hon Mr Grandmaître: On 21 June I introduced Bill 37, An Act to amend the Assessment Act. As the members will recall, this bill has two main objectives.

First, it will reduce the business assessment rate for Ontario's distillers from 140 per cent to 100 per cent in 1989 and to 75 per cent in subsequent years.

Second, it will ensure that Ministry of Revenue's assessors can continue to release information to ratepayers.

The members will be aware that there are presently six business assessment rates, ranging from 25 per cent to 140 per cent. For over eight decades, since 1904, distillers have been the only class of business to be assessed at the highest rate. Brewers, however, are assessed at 75 per cent.

L'iniquité de cette situation est reconnue depuis longtemps: par exemple, en 1986, le comité permanent des affaires gouvernementales a accordé, à l'unanimité, son soutien à la possibilité d'une réduction.

My ministry has made a careful study of the effect that changing the rate will have on the 14 municipalities in which distillers have property. As well, extensive consultation has been held in each municipality and I am pleased that they recognize that the tax treatment of the distilling industry is unfair and unjust.

Le projet de loi 37 comporte également des dispositions prévoyant l'octroi de subventions spéciales visant à compenser les municipalités touchées par la perte de recettes fiscales. Ces subventions s'échelonnent sur une période de cinq ans pour les quatre municipalités accusant d'importantes pertes fiscales, et sur trois ans pour les dix autres municipalités.

The second part of the bill deals with information disclosure under the Assessment Act. It has been a long-standing practice of the assessment program to assist ratepayers in understanding their assessment by comparing their property to similar properties in the

neighbourhood. There was some uncertainty whether this practice could continue since the data the assessors gave out might be regarded as confidential.

The final provision of the bill ensures that municipalities and school boards will continue to receive the assessment information which they will need for planning purposes.

Mr Morin-Strom: I am pleased to be able to participate on behalf of our caucus in the second-reading debate on Bill 37, An Act to amend the Assessment Act. I think it is rather unfortunate that the Minister of Revenue (Mr Grandmaître) and the government House leader (Mr Conway), however, were unable to organize their government's business in such a fashion that this bill could be dealt with in a normal, proper fashion.

Certainly, it is not normal for the government to bring forward bills on the kind of urgent basis that this bill has been brought forward on and then to propose that we start the debate on the bill after giving us a copy of the bill one week earlier and then suggesting that debate on the bill occur in the absence of our critic for the bill, the member for Beaches-Woodbine (Ms Bryden) who had long-standing plans not to be here this week. The government House leader, the Minister of Mines (Mr Conway), now wants us to deal with the bill after giving us one week's notice.

This bill, which suddenly has become an urgent priority for this government, was only introduced into the Legislature on 21 June, copies of the bill were not provided to the opposition members until last week and now we are asked to deal in detail with this bill as an urgent priority of this government. One would think the government had some priorities in the dozens of bills that it presented to this Legislature prior to this one. One has to ask why the government is not moving, for example, on Bill 208, the bill to amend the Occupational Health and Safety Act for Ontario; a bill that was introduced months earlier than this one, but this government is not acting on it.

There are many other items in Orders and Notices which the government refuses to address. We have a bill from several months ago which was supposed to be a government priority, Bill 219, An Act to amend the Highway Traffic Act; a bill which in its purpose would have provided improvements to health and safety on our highways, a bill which would have provided particularly better regulation of bicycle traffic on the highways and provided certain protections as

well that would be of interest to the disabled community.

1510

But no, this government does not have those as a priority. Instead, its priority today is to address the Assessment Act for solely one industry in Ontario, the liquor distilling industry. This government surely could have looked more seriously at problems with the Assessment Act and our whole structure of property taxes in Ontario and brought forward a comprehensive approach to property tax reform—which should have been the priority when it comes to the Minister of Revenue and property taxes—rather than this particular bill, which is going to turn out to be a handout to one particular industry, not a resolution of the overall injustices of our assessments in Ontario or the desperate need we all, certainly on this side of the House, feel we need to address with respect to property taxes in the province.

Our critic for the Minister of Revenue, the member for Beaches-Woodbine, has done an excellent job of preparing information on this bill and I am pleased to be able to present some of her concerns on behalf of our party with respect to this bill as it was presented less than two weeks ago.

Hon Mr Conway: We were all ready to hear Marion on Thursday.

The Deputy Speaker: Order, please.

Mr Morin-Strom: The government House leader has a question?

Hon Mr Conway: I was just saying we were all set to hear Marion on Thursday.

The Deputy Speaker: Order, please.

Mr Morin-Strom: And what happened to your agenda at that time?

The Deputy Speaker: Order, please.

Hon Mr Conway: The NDP decided to talk out the day on Bill 211.

Interjections.

The Deputy Speaker: Order. One member at a time, no interjections, and the member who has the floor will address his remarks exclusively through the Speaker, of course.

Mr Morin-Strom: Thank you, Mr Speaker. I appreciate the control you are going to maintain throughout the afternoon on this particular bill.

The member for Beaches-Woodbine has done an excellent job for us in the New Democratic Party since she was first elected in 1975. Certainly I would like to commend her for the work she has done on all the bills for the Ministry

of Revenue, particularly for the work she has prepared on this one. This member has provided excellent service to the Legislature over the years, and to our party as well over even more years, because she had worked for a number of years, before my time of direct involvement with the NDP, back in the 1960s as the director of our research staff. Her knowledge and understanding of budget bills and revenue bills is certainly comparable to anyone in this Legislature and her work over the years has certainly been commendable.

I regret the fact that this bill was introduced so late in our session and we have not had more time for all members to be able to take a close look at it.

One of the really questionable aspects of this bill is why a government would be making action retroactive to the start of this year. One would have thought that if there had been any plan at all, they would have introduced this bill last year, if they were planning to make changes to the assessment for one particular industry for fiscal year 1989. At this point, I think it would be far more appropriate if we were discussing the assessment for the liquor industry for succeeding years and not dealing with a bill which is going to be retroactive in nature, as this one is.

This particular bill will provide a tremendous handout to the liquor distilling industry, a handout of something over \$4 million over the next six years. At present, under assessment formulas, the liquor industry is assessed at a percentile of 140 per cent. This bill proposes to bring that percentile down to 100 per cent for the current calendar year, and then for next year and succeeding years down to an assessment of 75 per cent.

One has to question why this government is giving this status to one industry rather than doing a comprehensive assessment and overhaul of the assessment bases covering all industries in Ontario. This seems to be a knee-jerk reaction in response to some type of lobbying effort or initiative the liquor industry may have undertaken with the provincial government.

This initiative is going to cost the province an estimated \$4,282,948 over the next six years. The province is proposing to compensate municipalities for the reductions in the liquor industry's assessment base, and to pay essentially a payment in lieu of property taxes to the municipalities that will have their property tax base reduced by this act.

One can look back at the history of studies on the Assessment Act and the property tax structure

in Ontario and really recognize that there are severe problems with the way property taxes are structured when it comes to business properties in the province.

The taxation of business properties was the subject of a special study by the Ontario Committee on Taxation back in the 1960s. This committee, which reported in 1967, concluded then that "the cardinal weakness of the Ontario business tax is the indefensible structure of its rate assessments." It also said "nothing has emerged that lends support to a graded rate structure."

This committee therefore recommended that there be a flat business occupancy tax on taxable assessment at a level rate for all businesses in Ontario. However, this recommendation has never been recognized, accepted or implemented by the government of Ontario. One of the disadvantages is that there would be as many winners and losers with no real rationale for the burden of tax on each class of business.

One would question why this government has not come forward for an open consultation with respect to rate classification that would cover all business interests in Ontario and take an honest, hard, cold look at the rate of property taxes on the business community and at why some businesses are paying tax rates of as high as 140 per cent and then other businesses are paying taxes much under 100 per cent; in fact, well under 50 per cent. I think some are as low as 10 per cent.

The kinds of distortions this generates surely are a subject of interest not just to the liquor industry but to all industries in the province. One would have thought the province would have come forward with some potential recommendations for a major overhaul of the assessment system and some rationale for putting some fairness into that assessment.

1520

Beyond the formulas for the assessment, one has to look at the whole reliance this government is placing on property taxes. This government clearly has said that one of its priorities in terms of funding services of all types in Ontario is to pass the buck to local municipalities. This government has cut back on transfer payments to local municipalities. It has cut back on the amounts it has paid for road improvement in municipalities and, in particular, unconditional grants. By not even providing inflationary increases that would allow municipalities to keep up with their increasing costs of programs, this government is forcing municipalities to rely more and more heavily on their local property tax

base, with the result that local municipalities are severely disadvantaged in their ability to maintain the roads and infrastructure and local services to their communities.

The same applies, of course, to our school boards. While this government, the Liberal Party in particular, advocates that education is a priority in this province, stated as one of the six priorities in the last throne speech, the distribution of funds from this government to provide for education indicates clearly that this priority is one in words alone and is not backed up by dollars to school boards.

School boards in this province have been starved for a number of years, certainly since this government took office in 1985. It has not lived up to its commitment to move to 60 per cent funding of schools in Ontario. We know that back in the 1970s the costs of elementary schools and high schools in the province were funded approximately 60 per cent by transfer payments from the provincial government to local school boards. Approximately 40 per cent of the burden was placed on local property taxpayers.

However, in recent years the 60 per cent funding that the province historically provided has dropped drastically. When the Liberals took office in Ontario in 1985, that percentage had dropped to approximately 48 per cent, with local property taxes having to pick up the balance of 52 per cent of the costs of education in Ontario.

The Liberals campaigned in 1985 and again in 1987 on the fact that they were going to return the funding to our school boards to a level of 60 per cent of the cost of education in the province. But what have they in fact done? The support has gone down continuously since the Liberals took office. Today, the province is funding something in the order of only 42 or 43 per cent of the cost of education of our children in our elementary and high schools. That continues to go down.

The funding from Ontario continues to go down at the same time this government proclaims that education is one of its priorities and continues to ask school boards to provide more and better services, new programs and more classes, without the funds to be able to do so. As a result, we all know the pressures that school boards in our local communities are facing with respect to the cost of education.

In most communities now, individuals are paying as much in their property taxes to local school boards as they are paying to their local municipalities. These school boards are up in arms at a property tax system they do not have control over. They are being forced to ask

ratepayers to pay increases well over the inflation rate just to stay equal and to provide the same level of services, much less the kind of improvements to services we all would like to see in Ontario.

I would ask why the Minister of Revenue has not come forward with a green paper suggesting government proposals with respect to a massive overhaul of our system of property taxes in Ontario. Surely alternatives exist that would be fairer to all the taxpayers of our province. The property tax has to be one of the most unfair sources of taxation one could imagine. Property taxes and the value of one's home or business are not related to the income levels of the individual or the earning capacity of that business. Surely our tax system should be based on ability to pay, and those who are earning good incomes should be the ones paying, while those living near the poverty level should not have to be paying exorbitant levels of property taxes as is the case in Ontario today.

One of the alternatives the minister could have looked at is whether he would perhaps have given local municipalities and school boards the right to a more progressive type of taxation than property taxes. If the government is not willing to provide adequate funding to local municipalities and school boards, perhaps it could provide them with a fair source of tax revenues. One would be to look at the possibilities of local income taxes or local sales taxes. Surely a tax system that would allow municipalities to replace property taxes with much the fairer income tax would be one welcomed by many people in the province.

When it comes to assessment, another issue the minister has neglected over recent years has been the overall issue of market value assessment. Why has the minister not come forward with a market value assessment overhaul, assessment which would make sense rather than the current nonsense that is involved with market value assessment in Ontario?

We have had market value assessment imposed on communities across this province, creating tremendous injustices in those communities, where taxpayers at lower income levels who may have larger pieces of property, particularly in rural areas, have been stuck with an incredible tax burden to the point where they have had to divest their family property, hand it over to the development industry and break up property that has been in families for many years. I do not know how this province can justify the market value assessment that has been imposed on communities across this province.

I know the uproar it created in Sault Ste Marie and the injustices that occurred because of the nonsense involved in the provincial regulations and legislation on market value assessment. I know that the former member for Sault Ste Marie, the former Minister of Labour, paid a very heavy price for the imposition by the former government of market value assessment in Sault Ste Marie. There have been similar reactions in other communities across this province.

Meanwhile, we have a community like Toronto, where the government refuses to do anything about market value assessment. The government continues to ignore the fact that market value assessment was forced on communities across the province, but will not deal with the largest city in the province, the city of Toronto, and the problem that no type of market value assessment has been imposed on Toronto. Surely this government could have come forward with a revised proposal on market value assessment, one that perhaps would make sense rather than its current formulas, and then go ahead to see that we do have fair assessments for cities across this province.

Perhaps the city of Toronto should be the example that this province should have come forward with a proposal on. Then if one were able to get a system that made sense for Metropolitan Toronto, we could go back and redo and correct all the mistakes the government has made in other communities across the province when it comes to market value assessment.

1530

Really, this bill addresses such a limited scope of the subject of assessment in Ontario that one has to question how on earth this government could be serious in saying this is a priority. Here we are on 4 July. Presuming we get the new House rules passed, next year we will not be here on 4 July because we will have some rationale to the kind of scheduling we have in this Legislative Assembly, but we have a government that has priorities placed on a bill which—

Hon Mr Conway: Does this mean that “withdraw or die” is a thing of the past?

The Deputy Speaker: Order, please. Could the private conversations please stop and could you let the member for Sault Ste Marie proceed?

Mr Pouliot: The government House leader is out of control.

The Deputy Speaker: Order. There are a lot of members out of control. The member for Sault Ste Marie is the sole one to have the floor.

Mr Morin-Strom: I am just making the point that the government House leader, the Minister of Mines, who obviously has a high-priority position in this government has been unable to come up with any kind of government schedule or list of government priorities that makes any sense to anyone in Ontario.

To suggest that his priority at this time is to correct what he or the Minister of Revenue views as an injustice to the liquor industry in Ontario, as a priority of this government, is really beyond explanation for this government.

Interjection.

Mr Morin-Strom: We may have to continue this debate at length because I think our member for Windsor-Riverside (Mr D. S. Cooke) does not agree with all the points I am making here.

As I say, our critic the esteemed member for Beaches-Woodbine had established a clear position on this bill, but the government only presented a copy of the bill to us one week ago, so we have not had the opportunity to have the kind of full, open discussion we would normally have in our caucus on this kind of bill. I think we are going to have to look at some length at some of these ramifications, in the absence of the member for Beaches-Woodbine, in order to determine what in fact is the intent of this bill, what is behind it from this government and whether we can support the bill at all.

As I look through some of the notes that have been provided by the member for Beaches-Woodbine, our critic for the Minister of Revenue, she has a number of reasons for our rationale, certainly her views as to why the New Democratic Party should take a position in opposition to this bill. The Minister of Revenue calls us turncoats. I do not know whether she had ever given him the indication that we were planning to support the bill. To my understanding he did not even tell her about the bill until less than two weeks ago, so it is hard to say how he could have gotten the impression that we were planning to support the bill last week.

In any case, there are several reasons we do have concerns and on second reading would have to vote in opposition to the bill, at least at this point. At this point, all studies that have been done with respect to the Assessment Act have not been able to find any rationale for the current graded rate schedule for business assessment in Ontario. As a result, one cannot solve the problem of a graduated assessment schedule which treats different industries vastly differently in terms of their property tax load for

individual municipalities. Certainly, this bill does not do anything to solve that problem.

Moving the assessment base for one industry from 140 per cent down to 75 per cent as proposed for the liquor industry in Ontario may move the liquor industry into line with the brewing industry, which I understand is the Minister of Revenue's main criterion here, but what does it do about all the other industries in Ontario?

This bill does not address the reasons and the rationale for having a graduated system, whether we should have one at all, and if we have one, what the rationale would be for ensuring that it is a fair one.

So we cannot support the bill on the basis of solving the minister's problem with respect to his relationship with the liquor industry as the sole objective of this particular bill.

This bill is discriminatory and inappropriate in its attempt to amend the rate for one class of business without considering the rate for all other classes of business in Ontario.

I feel it would be far fairer if the current schedule could be frozen until a new graduated schedule is established, based on some sort of yardstick of ability to pay, and to ensure that was phased in over a period of years.

Mr Faubert: You want business to have the ability to pay? What kind of logic is that?

Mr Morin-Strom: Is that the parliamentary assistant to the minister questioning how ability to pay would have any logic in a taxation system? That is the Liberal attitude towards taxes in Ontario. If it is related to ability to pay, that is outside of any logical sense that the Liberal government of Ontario could possibly have.

Mr Faubert: I am talking business.

Mr D. S. Cooke: What kind of sense does that make, Frank?

The Deputy Speaker: Order, please.

Mr Morin-Strom: I see. His clarification is that it is for businesses that ability to pay is an inappropriate basis for taxation.

Mr Fleet: No, he said for business taxes.

Mr Faubert: He doesn't know the difference. Interjections.

The Deputy Speaker: Order, please. Any time members want to stop, I will be very pleased to remind all members that there is a period for questions and comments afterwards in which each member can take two minutes to say whatever he or she wants. Are we ready to proceed?

Mr Morin-Strom: I guess I just have to make some remarks with respect to the point that the member for Scarborough-Ellesmere (Mr Faubert) has made. He has said that ability to pay has no place in a system of business taxation in Ontario. What kind of nonsense is that from the parliamentary assistant to the Minister of Revenue?

Surely ability to pay should be the prime criterion for any system of taxation, whether it is for individuals or, certainly, for businesses in Ontario as well. We know that this is one of the fundamental flaws with our whole property tax system. This government and its representatives, dealing with the issues of revenue, do not recognize the kinds of injustice they are going to place on individuals and businesses when they do not adhere to the number one principle of taxation: that it should be based on the ability to pay.

1540

This bill is perfectly illustrative of this government's lack of recognition of that principle. It is not a bill based on ability to pay. It is not based on the financial success of the liquor distilling industry. It is based on an arbitrary decision that the levels of taxation for this industry should be reduced by some \$4 million over the next six years and that the province should effectively subsidize that industry by paying grants in lieu for property taxes to the municipalities in which that industry is located.

This bill does not relate this particular industry to all industries in Ontario. It does not have a rationale for assessment practices, one that would be based on any type of fairness or ability to pay, which certainly our party would take as the hallmark of any type of taxation system that we would like to see acted upon in Ontario. This bill will be passing to the distillers an indirect benefit from the Ontario Treasury to the tune of some \$4,282,948 over six years.

It is unclear what will happen in these municipalities after the six years with respect to their assessment bases and how they will be compensated in future years from the liquor industry or from Ontario.

Mr D. S. Cooke: Increase property taxes.

Mr Morin-Strom: As the member for Windsor-Riverside points out, I think the only conclusion has to be that it is going to be the property taxpayers who are going to foot the bill after the six years are over and it is going to be those individuals living in those communities who are going to pay because the major industry

in their community is paying less in the support of their local municipality.

If one were to take an assessment of fairness, one must remember that the distilling industry is not currently paying any of the social costs arising from alcohol abuse, including health and hospital costs, the slaughter on our highways, family breakdowns, child and wife abuse and lost productivity. One would think that, if anything, if one were to have a system that was going to be based on fairness, one would not see the rates for the liquor industry being brought down, one would perhaps see the rates for the brewing industry being brought up.

The minister has not explained why it is that he is proposing that the distillers be brought down from an assessment rate of 140 per cent to a rate of 75 per cent and why, rather, he has not proposed that the brewers be brought up from 75 per cent to 140 per cent.

Perhaps the minister can explain what his rationale is with respect to the whole issue of industries whose sole purpose is the distribution of alcohol and spirits, which we know have a tremendous burden in terms of social and health costs for the province, and why we would have a government subsidizing a component of that industry, rather than having those industries paying a fair share of the burden of our taxes in the province and under some rationale be put into a base that would provide some greater fairness among all industries and certainly among the various components of the liquor and brewing industries.

The property tax bases for both cities and school boards are going to be severely hurt by this particular bill. I do not see any way that we can justify that type of harm to the municipalities and the property taxpayers in those communities, who are going to have to pay the price for this government's desire to provide a new handout to one particular favoured industry.

As a result, on this major point of Bill 37, I feel that we cannot support this bill at second reading. This particular initiative in it cannot be supported at this time.

I would make just a brief comment with respect to the additional amendments in the bill. The bill also contains some administrative amendments to section 57 of the Assessment Act which clarify what assessment information can be released by assessors and explicitly forbid the release of this information to any person other than the person or corporation to whom it pertains. Assessors are still allowed to release information, however, on comparable residential

properties. Release of information on commercial and industrial properties is further restricted if its release might prejudice the financial or competitive position of investment property owners.

Again, it would appear that this government is providing favourable exemptions for the business community in comparison with the access to information that will be available with respect to private homes in Ontario.

Under this section, municipalities and school boards will continue to receive assessment information needed for administrative purposes. However, the bill brings employees of school boards under the same penalties for unauthorized disclosure of assessment information as currently apply to assessors and municipal employees.

My inclination has always been towards freedom of information. In very rare cases, the release of information does harm to society. I have concerns when we have a government that is moving to suppress information, because I do not believe, in terms of dissemination of knowledge and ensuring that everyone is working with access to the same information, that one should be involved in the practice of restricting the release of information.

As a result, I would also have some concerns about some of the restrictions to information with respect to property values that are contained in the Assessment Act. I believe that this kind of information should be made more open to the general public, not less open.

One of the most serious problems with our property tax system is the fact that it does not address fairness of property tax values from one related or nearby property to another. The inability that individuals and business have to get tax unfairness addressed will not be solved by the proposals in this bill. This bill will continue a system which has restrictions on information and which makes it more difficult for property taxpayers to ensure that while they know they are paying a tax which is inherently unfair, at least it should be based on some type of fairness with respect to their neighbours and others who are competing with them in business, for example, or are in homes of comparable value.

This government has a long way to go to address the whole system of our property taxes and to create an assessment base that would provide some kind of fairness for property taxpayers, whether individual or business, across Ontario.

1550

I think I have explained and described some of the concerns we have with respect to this bill. I regret the fact that the government House leader felt he had to call this bill his number one priority today, despite the fact that we have budget bills from the Treasurer (Mr R. F. Nixon) which presumably have some priority in this government, despite the fact that we have a bill like Bill 208 which would make a major move towards improving health and safety in Ontario and despite the fact that we have other bills dealing with serious concerns in areas such as education and the environment in Ontario.

I wish the member for Beaches-Woodbine would have been able to be here to make our opening remarks with respect to Bill 37, but I am sure she will be back in time to make our closing remarks.

Mr Runciman: Our critic also is unable to be here today, so a number of colleagues are going to offer input into this important piece of legislation. I want to indicate at the outset that unless we determine in the next little while that Patti Starr is somehow connected to a distillery, we intend to support this legislation. But given the revelations that have been pouring forth in the past couple of weeks with respect to Ms Starr's multitude of connections with this government and individual members and ministers, who knows what might come up in the next day or so? We just never know.

The member speaking before me was critical of the schedule of business established by the government House leader and I guess it is perplexing indeed, but when we look back at the history of that particular gentleman and his current responsibilities, it pretty well fits into the pattern. We have had some difficult times indeed. Again, I think we are going through some difficulties with respect to the relationship between various parties in this House, in trying to seek some resolution of the misunderstanding so that we can get back to our ridings, meet with our constituents and do the business that has become backlogged for all of us, at least for most of us, in our own constituencies.

Hopefully, some degree of common sense will soon come upon the government House leader. Whether he will receive direction from the corner office or what, we do not know, but certainly we are continually optimistic that something will be forthcoming to improve the atmosphere and the environment around this place in terms of the relationship between the three parties.

I had the opportunity to serve on a task force back in—

Mr Laughren: On a point of order, Mr Speaker: I have not counted, but I have a sense there is no quorum in the chamber. Ninety-four members and they cannot get a quorum.

The Acting Speaker (Mr M. C. Ray) ordered the bells rung.

1555

Mr Runciman: Before the need to call additional government members into the chamber, I was speaking briefly about the government House leader, the agenda of business and so on. We have read recently about the fact that because of the various crises the government has been facing over the past period of time, the Treasurer has now put his retirement plans on hold, which I am sure is causing no end of grief to the Chairman of the Management Board of Cabinet (Mr Elston), who had already tried sitting in the chair, had it all sized up for himself and was prepared to move in there at some point later this year. Now we read that because of the situation currently facing the government, the Treasurer has decided to hang in, tough it out and do the right thing on behalf of the party.

We can appreciate that. Since that vacancy at Ontario Hydro remains, someone might want to consider making a suggestion to the government House leader that perhaps he should fill that particular role, that vacancy. I do not know whether we would be better off or not, but in any event certainly the operations within this assembly, this House, would see a marked improvement. I will put that one forward as a suggestion, and hopefully some of my government friends will whisper in the right ears. Apparently, the right ears have to be those of Heather Peterson, who occupies a section of the corner office.

Mr D. S. Cooke: Who pays the rent?

Mr Runciman: Yes. That is a good question. Who is paying the rent on that space in this government edifice so that an employee of the Ontario Liberal Party, sister-in-law of the Premier (Mr Peterson), can sit in that little corner office and make numerous patronage appointments across this province?

Liberal after Liberal has been appointed to police commissions. Every little government vacancy—agency, board and commission—has been filled over the past couple of years by the Liberal faithful. It is not only a question of filling these vacancies with Liberals or people who profess to be Liberals—sudden Liberals, instant Liberals—it is also the fact that they have

increased the per diems these individuals are paid by something in the order of 400 per cent to 500 per cent.

The Acting Speaker: Order. I assume the member is going to relate these comments to the item before the House, which is An Act to amend the Assessment Act.

Mr Runciman: Well, these all relate indirectly, I agree, to tax revenues. All of these individuals have to be paid by the taxpayers. We are talking about all of these appointees. Who is responsible for collecting those revenues to pay all of those Liberal appointees those inflated per diems? It is the Minister of Revenue and it is his bill that is before us today, dealing, I agree, with a specific element of taxation, but certainly we are talking about where our tax dollars ultimately end up.

Certainly, that is an area where we have seen significant abuse. We can look at all the appointments that are not under severe criticism at this point. We should just look at the handful of appointees and the questions in regard to ethics and morality in this government, with respect to how it has gone about making a whole host of appointments to agencies, boards and commissions across this province and the favours that have been dished out on a variety of things occurring with respect to Ms Starr and others who have been named in this House.

I do not want to go on at any further length with respect to that.

1600

Mr Speaker, following your request, I want to deal with some specifics of this legislation. We do have some concerns about the retroactivity provisions, but upon reflection, we have decided not to table amendments to the legislation in committee of the whole, because as the minister rightly pointed out earlier today, this legislation is overdue. Indeed, the distilleries have not been operating on a level playing field with respect to taxation vis-à-vis brewers in this province.

As I was saying earlier, I had the opportunity to chair a task force that toured the province in 1985 taking a look at the then Liberal Party proposal to install beer and wine operations in corner grocery stores right across the province. We had a number of distillers appear before our task force outlining the problems they have faced over a multitude of years with respect to taxation, the problem the taxation burden was creating for them but also the level playing field aspect as well.

In fact, if the government had moved ahead with its plan to allow corner grocery stores to sell

beer and wine, they felt they should also have the opportunity to share that kind of shelf space. In effect, we would have corner grocery store or larger grocery operations offering not only beer and wine, but hard liquor products as well.

Of course, as we know, the government backed away from that promise. It is just one of its many promises that it has failed to fulfil. We are not being critical of that because we appreciate the ramifications that were involved with respect to that promise, that off-the-cuff promise, one of many made by the Premier. That one was made in 1985, but we can talk about a lot of off-the-cuff promises made by this Premier.

Perhaps the most infamous one now is his off-the-cuff promise that he had a specific plan to lower automobile insurance rates, and of course we know now that was a sham. He had no such plan. Indeed, consumers across this province have faced rather significant hikes in auto insurance since that promise was made.

The beer and wine in grocery stores was another one that was quickly forgotten about and disappeared down the great Liberal toilet of promises.

I want to talk about the distilling business, though. Indeed, they have been facing a number of problems in terms of their ability to compete. Living in a border area—I am sure some of the Ottawa members here certainly, and those from Windsor, I am sure, areas that have easy access to the United States and alcohol products in the United States—we know the significant price differential by going across into, for example, New York state—Mr Speaker, I am sure, representing a Windsor riding, you are quite familiar with this—going into a United States market and purchasing alcohol products. They are unbelievably lower in terms of price than their equivalent on the Ontario side of the border.

We can talk about whether the distillers are contributing to the social costs associated with the consumption of alcohol. I think they are. If you look at the levels of taxation on alcohol products in this province vis-à-vis other jurisdictions, specifically the United States, I do not think there is any question that, certainly in the distilling industry, they are paying a good dollar to the government.

It is a significant revenue source to this government. I guess we can argue all day whether it is an appropriate level and whether it is indeed adequate to the social costs the taxpayers of this province incur as a result of alcohol abuse. I do not know, but I know that if we want to maintain a distilling industry in this province, we

have to do what is necessary to ensure that it can indeed remain competitive. For the most part, that has not been occurring in the past number of years and it has had an impact on the industry. They are not in the best of times right now and they employ significant numbers in this province.

I think the initiative undertaken by the minister and the government at this point is appropriate. As I have said, we do have some concerns about the retroactivity, but given the concerns on the other side of the ledger with respect to the fact that distillers have not had a level playing field for a great many years with respect to taxation policy and the fact that they have been facing some increasing problems on the economic front in terms of their ability to compete, especially in the North American market, we are going to hold back on our concerns with respect to retroactivity and its impact on municipalities and school boards across the province.

I want to talk about the competitive position as well of retailers of distilled products in this province, essentially the tourism industry. Again, the tourism industry is a major component of the economy in my riding, coming from the Thousand Islands area, the Rideau lakes area. Certainly we know that trying to compete effectively on the Ontario side with restaurants, bars, pubs, resorts and what have you on the American side—especially, for example, the in Alexandria Bay area, just on the other side of the Thousand Islands Bridge—with the costs of liquor products, it is simply not a viable situation.

Tourism operators are complaining consistently to me about the government's taxation policies with respect to those products and the fact that they have to charge four or five times the price their competitor on the United States side is charging for the same alcohol beverage.

It is putting them in an extremely difficult position. As I said, not only the distilling industry but obviously the tourism industry is a significant factor in the economy of this province, a growing factor in the economy of this province. I think that according to some projections, early on in 2010 or 2011, tourism could be the number one industry in this province.

We have to, as legislators, and certainly the government has to carefully look at the situation, how they apply tax policy to these various industries and how they ripple in terms of their impact on other segments of the economy. Tourism, in my view, has certainly been negatively impacted upon by the taxation policies of the government and governments past

with respect to alcohol beverages in this province.

Hopefully, the minister will not be content with this measure and will be looking at other elements of the various industries that are impacted by taxation on distilled products and other alcohol beverage products to ensure that we can remain competitive with our American friends.

We see an example in Toronto today this week with the Shriners' convention. There are about 85,000 visitors, I gather, coming into Toronto, many of them Americans. I think they are in for a significant shock when they get out and try to buy a beer in a downtown Toronto pub and pay four or five bucks for a bottle of beer, compared to what they pay in Texas or Connecticut or Bangor, Maine, or wherever they may be coming from. Indeed, I know from reading the various articles in the past number of years, with respect to Metropolitan Toronto especially and the impressions of tourists visiting this area, that the costs of beverage alcohol and food are areas of concern to tourists coming into this area.

Just reiterating the point I made earlier, we have to be very concerned about that whole area and the long-term impact on the economy of this province. Of course, the distilling industry—this could apply to the beer industry and other industries attempting to compete with their United States counterparts—has to face additional costs of operation in this province that its competitors south of the border in many instances do not have to face. We found this recently with American beer being very vigorously promoted through Liquor Control Board of Ontario outlets.

Mr Faubert: Dumped.

Mr Runciman: I do not know if it was dumping. Some certainly felt it was dumping. We are looking at a six-pack costing \$2.50 less than what you pay for a six-pack of Canadian beer through a Brewers' Retail Store outlet.

If you take a look at the situation and the costs associated with that, the fact is that Ontario brewers—this applies to distillers as well, to try to tie this in with the bill we are discussing today—are faced with increasing costs, not only the taxation burden but other costs associated with health and safety legislation and the new initiative by this government with respect to payroll tax. We have initiatives forthcoming that I am sure will impact on a number of these industries with respect to pension reform and limited indexation of private pensions.

Again, these are government-imposed costs that companies wishing to operate in this environment have to assume. Indeed, it has an impact on their ability to compete. As I say, we have to throw all of these things into the mix. If we want this kind of an industry to not only survive but prosper within Ontario, we have to do what is necessary in terms of taxation regimes and a whole host of other policies that have a very negative impact on its competitive position.

1610

I noticed that the Minister of Industry, Trade and Technology (Mr Kwinter) during question period today was suggesting that he was the champion of business in this province. Well, I do not know. I recall Mr Bulloch, the president of the Canadian Federation of Independent Business, saying after the last budget that the current Ontario government is the most antibusiness government that he has had to deal with in his 20 years with the CFIB.

That was not a surprise to me, given the name players in this government, the fellows who really exercise the influence. I have mentioned this before, but I have no reluctance to mention it again. For example, the Attorney General (Mr Scott) was a former fund-raiser for the New Democratic Party.

Hon Mr Elston: Did the NDP raise money?

Mr Runciman: The Chairman of Management Board raises his head. I will repeat it. I am talking about the influence that some key players in the front benches of this government have on government policy in respect to business and industry in this province, and where these people are coming from in respect to their philosophy in dealing with the private sector. I specifically always like to point out the Attorney General's background as a fund-raiser for the New Democratic Party in this province.

I think that gives members an indication. In fact, I think he said in some interview back in the early 1980s that he became a Liberal simply because the Liberals had a much greater opportunity to achieve power in this province. We have seen others enter the Liberal Party who are of the socialist mode. There is a lot of talk about their former federal leader Mr Trudeau and his connections in the past in respect to his loyalty to the socialist cause. There are certainly a great many over there who would feel quite comfortable within the ranks of my friends to the right. Indeed, that is having a significant impact on the policies that this government comes forward with in respect to the operations of business and industry in this province.

That is why I am personally pleased when we see this kind of initiative forthcoming, because they are few and far between indeed. I do not know the background of the Minister of Revenue, but I suspect that he does have a business background and perhaps that is one of the reasons why we are seeing this kind of legislation come forward.

Of course, I have to mention that my colleague the member for Carleton (Mr Sterling) was very much a factor in terms of urging the Minister of Revenue's predecessor, the member for Brant-Haldimand (Mr R. F. Nixon), to bring in this legislation back in 1986. That died with the election of 1987 and we are pleased to see his successor move ahead with the initiative now. But I want to put on the record my personal compliments for the efforts undertaken by my colleague the member for Carleton, who was certainly very aggressive in his efforts to have the government undertake this kind of initiative.

Hon Mr Elston: It's all smoke and mirrors.

Mr Runciman: I was really looking forward to some interjections from the Chairman of Management Board. As I have said on past occasions, for whatever reasons, he cannot figure it out himself, but whenever I am speaking in the House he tends to appear mysteriously and—

Hon Mr Elston: Nobody else will volunteer.

Mr Neumann: He just waits outside for you to speak.

Mr Runciman: We hear the member for Brantford (Mr Neumann) with one of his very infrequent interjections. We talk about people who are committed to the socialist cause—

Mr D. S. Cooke: He happens to be a waffle member.

Mr Runciman: Yes, I am reminded that this gentleman was a member of the most extreme element of the NDP, the waffle group, and here he is. Apparently he has not been buddying up with the Attorney General. He is still off in the corner way back there and we occasionally hear these weak and not very helpful interjections from that member.

This must be a sad time for him. He was a very well known individual in his own community back before the 1987 election, and to come here and be relegated to the last seat, actually, in the Legislature—at least it used to be back in the days when we formed the government, back in the good old days. The member is back there occasionally making these not-very-helpful suggestions and interjections, and it is just too bad

that he would not try to participate in a very meaningful way in this debate. We would look forward to his interjections in a meaningful and helpful way. I am sure the minister would as well.

Hon Mr Elston: Would you like an assessment of your contribution?

Mr Runciman: What was that?

The Acting Speaker: Perhaps this is an opportune time, as the formality of the institution degenerates, to suggest once again that we are involved in a public proceeding and not a series of private conversations. It would be helpful if members cared to listen to the principal speaker. I notice a number of private conversations which are not helpful in having the public in the gallery understand what we are about here.

Mr Runciman: Thank you, Mr Speaker. I always appreciate your advice.

Mr D. W. Smith: Pity you do not take it.

Mr Runciman: I do, quite sincerely. I really think I have probably said all I should say at this point. I hope the minister has taken it to heart. I reiterate that we are going to support this legislation. We share his view that it is overdue.

Although we share the concerns about the agenda that has been set by the House leader of this government, at the same point we are prepared to deal with this and deal with it as soon as possible. There are a number of other colleagues of my party who also wish to participate in this debate later on today. The member for Markham (Mr Cousens) and I believe the member for Carleton wish to have an opportunity to have some input.

Mr Laughren: I am pleased to take part in this debate. As my colleague the member for Sault Ste Marie (Mr Morin-Strom) indicated, I wish our Revenue critic, the member for Beaches-Woodbine, could have been here today because she knows a great deal about tax policy, having spent some years with the Canadian Tax Foundation, a number of years learning about taxation policy and then a number years with our caucus learning different versions and views on tax policy.

Hon Mrs Caplan: Very different versions.

Mr Laughren: Yes, different indeed.

So that everyone understands what this bill is, so that more people will understand exactly what it is, I thought I would give some quotes from the explanatory notes in the bill.

"This bill provides for a reduction in the business assessment of land used by distillers." That is the basic principle of the bill. "For the

1989 taxation year, the business assessment is reduced from 140 per cent to 100 per cent of the assessed value of the land. For the 1990 and subsequent taxation years, the business assessment is further reduced to 75 per cent of the assessed value. The bill provides for compensating grants to the affected municipalities" for the next three years.

One part of the bill reduces it to 100 per cent in the first year, then to 66 2/3 per cent in the second year and to 33 1/3 per cent in the third year. Then the province will make up to the municipalities the loss in revenue for the years 1989, 1990 and 1991. After that, it is really up to the province to determine whether or not compensating grants will be given to those municipalities.

I want to tell members, given the record of this government in passing costs on to the local property taxpayer, the hopes of those municipalities getting any break from this government in terms of relief after 1991 are slim indeed because it is simply up to the discretion of the Treasurer.

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The other aspect that is not mentioned in the bill is the impact on school board assessments. I suspect the Minister of Revenue will say, "When the assessments drop, the school boards get an increase in general legislative grants to make up for the drop in assessment." That of course has nothing to do with the ceilings under which the school boards must operate. So we can be absolutely sure that the school boards are going to get it in the neck as a result of this bill, just as the municipalities are going to get it in the neck.

We know a number of things about the amount of revenue that is involved here. We know that over the four-year period the cost to the province is going to be about \$4 million—sorry, that is over the first three years—when the legislated proportion is down to 100 per cent, 66 2/3 and 33 1/3, and then in the following three years there will be discretionary payments by the province. The total cost to the province is going to be about \$4.2 million.

On the other hand, the cost to the municipalities is going to be about \$3.8 million annually. So the cost to the municipalities in one year is basically what it is going to cost the province over the full six years of supplementing assessments to the municipalities. So there is absolutely no question that this is really going to stick it to the municipalities.

We know why the minister has said he is doing it. He says: "It is not rational. Here we have the distillers paying at a rate of 140 per cent of assessed value, while others are not paying that

amount. That does not make sense." Is the minister wiping out all the different rates? No, he is just taking this one rate and reducing it. It must be nice for a member of that industry to have his industry selected, plucked out because he pays the highest rate of 140 per cent and have it lowered. There is no rationalization of the entire assessment program.

As I understand the present schedule for business assessment, the distillers pay the highest rate at 140 per cent; wholesale and warehousing, 75 per cent; financial, 75 per cent; brewers, 75 per cent; manufacturing, 60 per cent; retail stores, 50 per cent; professional practices, 50 per cent, and car parks, 25 per cent.

I asked the Minister of Revenue—and when he winds up for the government at some point, perhaps he can tell us—how he justifies the sliding scale that is still going to be left in place. What kind of nonsense is it? If, as my colleague the member for Sault Ste Marie said, it was based on some kind of industrial ability to pay, then perhaps there would be some rationale to the whole system, but there is absolutely none.

All that has happened is that the minister has been mugged by a very successful lobby. It is truly remarkable to see one lobby after another getting its way with this Liberal government. They are a lobbyist's dream over there. The latest to succumb to the entreaties of the lobby is the Minister of Revenue and in this case it is the distillers' industry.

I know the minister will say, "It is a very tough time in the distilling industry." It is not that tough. Who makes up the distilling industry in this province? Is it the little shop in the backyard? It had better not be or it will soon be put out of business. These are huge, multinational conglomerates that have had record profits that we are dealing with. We are not talking about a penurious industry here, we are talking about an extremely successful, huge multinational industry. They do not need the government's largesse, but of course they will take it. I will bet they never dreamed that the Liberals would be such an easy group to lobby. I will bet that they are going away scratching their heads and saying: "You know, we should have gone for more. Why didn't we go for the whole hog?"

I do not understand how this government can be so susceptible to lobbies. Let me read some of the headlines in the business press recently about distilling industries.

"Spirits High at New Hiram Walker"; this is over the takeover battle with Hiram Walker, Gooderham and Worts, when Allied-Lyons of

Great Britain wrested control of Hiram Walker away from Gulf Canada.

Of course, the profits in this industry are truly remarkable. This is from the *Financial Post*: "The wines and spirits division became Allied's biggest profit contributor last year, generating \$503 million. About 50 to 60 per cent of that came from the North American operations. Liquor profits are up 8.8 per cent to \$247.7 million in the first six months of the fiscal year." That was 1988.

"Corby Sells McGuinness Property to Toronto Developer for \$26.5 Million."

"In its finale to its restructuring plan, Corby Industries Ltd of Montreal has sold its McGuinness Distillers property to a Toronto developer for \$26.5 million." And these people need the government's help. That is what they tell them.

"Corby Profit on a Bender Despite Drop in Drinking."

"Despite a four per cent drop in sales volume, the Montreal-based spirits producer boasted a 24 per cent increase in profit for the nine months ending November 30 because of better management and the benefits of having bought McGuinness Distillers Ltd last December. Corby reported nine-month profits of \$12.2 million, compared with \$9.8 million for the corresponding period a year earlier.

"As for Seagram's, analysts say it is doing well. Late last year, it announced plans to drop 25 nonpremium liquor brands it markets to the United States, close its Dundalk, Maryland, plant and eliminate about 240 jobs. It is divesting the brands so it can concentrate on production of marketing resources on its more profitable brands.

"Liquor Consumption Down but Profits Grow for Corby."

"Dupont Nonliquor Concoction Brings Record Seagram Profit."

"The Montreal-based distiller reported profit of \$589.5 million for the year ended January 31, 1989, compared with \$521.8 million a year earlier."

These are the people this government thinks needs its help, or at least it was convinced by the industry that they needed its help. It truly is amazing; when I think of all the groups and individuals out there in Ontario who could use some assistance from this government, to think that these people were moved to the top of the list is truly mind-boggling.

It is not as though this was discussed for a long period of time and it has been on the books. It was only about two weeks ago or perhaps even a week

ago that the government House leader indicated that this suddenly had become a priority, a top priority of the government. Here we are with all sorts of legislation before us and we are in July. It is tradition that the Legislature adjourns the end of June and we get back out to our constituencies, but what happens?

Hon Mr Elston: We have work to do.

Mr Laughren: I do not mind. We are here and we are happy to be here, but what I find strange are the priorities of this government. Despite everything that needs to be done, guess what is the number one priority to get through today? This bill that will give a \$4-million break to the distilling industry. That is exactly what it is. I find that very strange.

This government is going to give the distilling industry a \$4-million tax break, that is really what it comes down to, and we will be picking up the tab. Their taxes will go down \$4 million and the Ontario taxpayers will pay \$4 million more. That is exactly what it is, and any kind of rhetoric that says all we are doing is making the tax system fairer is nonsense. What the government is doing is reducing the taxes of the distillers by \$4 million and sticking it to the Ontario taxpayer to the equal tune, because somebody has to make up that difference to the municipalities, and that is the Ontario taxpayer. It is as simple as that. Any kind of nonsense about their making the tax system fairer is laughable.

1630

Of course, the other aspect is, why is this a priority? Why did this get bumped to the head of the legislative agenda? Do I see the fine hand of the Minister of Industry, Trade and Technology in here again? Is this the Monte Kwinter business lobby at work again? Is that what it is? I would ask him, why?

I would ask all those government back-benchers, why is it that this became a priority? Did they ever hear at their caucus meetings before last week that this was a priority item? Not a chance. My friends have been bamboozled themselves by being told at the last minute that this suddenly had become a priority item.

Do the members know what else? This bill is retroactive to 31 December 1988. It is retroactive to December 1988, regardless of when it is passed. Why are we now passing retroactive legislation? It is indecent enough that the government is doing this, making the taxpayers pick up a \$4-million difference in order that the distillers will not have to pay it. But they are also making it retroactive to—sorry, I was wrong on

the date—1 December 1988. That is what they have made it retroactive to.

Why? I did not hear the minister indicate why it was so necessary. Why would he not say, if he insists upon doing it, 1 December 1989? Why? One does have to wonder what put this at the top of the list. If it was not the Monte Kwinter business lobby, what was it?

Interjection.

Mr Laughren: I wish that government members—

Hon Mr Kwinter: Did I hear my name being taken in vain?

Mr Laughren: Yes, I am glad that the Minister of Industry, Trade and Technology is here, because I suspect he is the reason that this bill to subsidize the distillery industry to the tune of \$4 million a year, reducing its taxes by \$4 million, is at the top of the legislative agenda.

What other group, what individuals out there in society have had their taxes reduced in living memory? I do not know of anybody who has had his taxes reduced. But the distilling industry? "Oh, yes, we have to do something for the distilling industry." I really do question it.

For the Minister of Revenue to say that the tax system presently is unfair is truly remarkable. I happen to agree that we have an unfair tax system, but for the Minister of Revenue to sit in his place while at the same time we have a single person in Ontario who earns \$10,000 below the minimum wage paying provincial income tax and a family with an income level also \$10,000 or \$12,000 below the poverty level continuing to pay income tax—at the same time, they allow that to remain and they reduce the taxes of the distilling industry by \$4 million a year.

Those are truly perverse priorities for this government. I can think of no other reason than the Monte Kwinter business lobby at work behind the scenes, not only to get this bill through but to put it at the top of the Legislative Assembly agenda here in the month of July 1989. It is truly remarkable.

It is not as though we have done anything at the other end of the scale to increase revenues from this very profitable sector. We still do not have a minimum corporate income tax in Ontario. Despite the fact that they even have one in the United States, for heaven's sake, we do not have one in Ontario. Oh, no, that might offend some of the Minister of Industry, Trade and Technology's friends presumably.

It is not as though the municipalities and the school boards are rolling in money. In 1985, this government promised that school boards would

have their share of educational funding in this province reduced to 40 per cent and the province would pay 60 per cent of overall education spending. Since that time, it has almost reversed. The local property taxpayers pay almost 60 per cent and the province pays a little more than 40 per cent.

They have very callously and blatantly broken a promise to the people of Ontario, and here we have them sticking it to the property taxpayer on education and municipal purposes and relieving taxes to the distilling industry. I want to tell members that one has to have a really strange set of priorities and a lot of chutzpah to walk in here, introduce this bill and decide that it is the number one item on the legislative agenda. That really does take chutzpah.

Hon Mr Kwinter: You are building up my reputation with my colleagues.

Mr D. S. Cooke: Certainly not your ego; it is already built up.

The Acting Speaker: Order, please.

Mr Laughren: I am not opposed to people having a drink. I have been known to have one myself, but I do think that we need to put this industry in perspective. Any time anyone talks about the amount of tax on a bottle of liquor or on a bottle of beer or where in this case, the minister thinks people are paying too much in business taxes, I wish that he or anybody who thinks that way would take a look at the social cost of the product that is being produced.

A very rough estimate—it is true that these costs have to be rough, but the social costs of alcohol problems in Ontario really are—is that it is about \$2.6 billion in health care—these are 1987 figures—\$554 million for law enforcement, \$1.2 billion for reduced labour productivity and \$391 million for social welfare in 1984. All those are costs associated with the consumption of liquor. I think that we do need to put in perspective who picks up the tab for that. The Ontario taxpayer picks up those tabs and, in some cases, the business community picks up the tab as well in terms of lost productivity.

So I think before the minister starts crying and shedding tears for the distilling industry, he should have a more balanced approach to the problems that are attached to that industry. I am surprised that the Minister of Health (Mrs Caplan) would be so acquiescent in allowing this outrageous bill to go through, given the fact that she surely must understand all of the attendant costs of alcohol consumption.

I would have thought that she would stand up in cabinet to say: "Just a minute. If we're going to

give tax breaks to anybody in this province, surely it shouldn't be the distilling industry." But obviously she did not succeed. So she is batting zero for infinity, in terms of defending the health care system.

There are all sorts of ways in which this caucus has indicated to the government that it could raise new revenues that we would support, such as the minimum corporate tax and a tax on the net wealth in the province. But the government has chosen to carry on as though it were a Conservative government. Certainly any remnants of reform in this government are very difficult to find in 1989.

I must say that I was very much surprised when the government indicated that getting this bill through to reduce taxes for the distilling industry was to be the number one priority for this week. If the government wants to bring in a new system of taxation based on land, then it should say so and do so. But to pick out one industry because it is the highest and reduce it is truly perverse, and I hope very much for there to be some reconsideration by some of the government backbenchers, because I want to say that the toll is mounting out there and it is legislation like this that is going to take that toll of this government.

If they cannot see it from a sense of fairness, why do they not see it from their own self-interest? I want to tell them that there is no element of fairness in this legislation, absolutely none whatsoever. It is a blatant break to the distilling industry. There is absolutely no sense to the taxation that they are bringing in.

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If this was part of an overall package of changing the tax system on land for businesses, then perhaps we could have a debate with some content to it. But what do they do? They insult all of us and the people of Ontario by bringing in a bill that says, "We are going to reduce the taxation on the distilling industry by \$4 million." That is what they are doing. It is truly remarkable.

I do not know how people are going to judge them out there, but I suspect they are going to wonder why in the world they picked this very lucrative industry to give a tax break to. How do they justify that? Is there something I am missing in the game plan of the Liberal government that says, "We want to give"—

Mr Mackenzie: Donations.

Mr Laughren: My colleague the member for Hamilton East says it is corporate donations to the Liberal Party. I do not know that, but I want to tell members that we cannot help but wonder

what is going on when there are so many people out there who could use a tax break, such as the single mother trying to raise kids who is still paying provincial income tax and struggling small businesses out there all across the province. Who does the government pick to give a tax break to? The multicorporate, conglomerate distilling industry.

I do not know how they picked that. Did they pick it only because they are paying the highest rate now? Is that the only reason they picked it? Does that mean that individuals earning high incomes and paying the top individual personal tax rate will be the next ones to get a break? What kind of thinking is that? Who is next? Who do they give a tax break to next and who do we go to see to make sure we are those people?

Hon Mr Elston: Obviously, the Bank of Montreal, with your affinity cards.

Mr Laughren: Or the Minister of Industry, Trade and Technology. Maybe that is who we go to see next. I do not know who we go to see next, but I want to tell members—the member for Bruce (Mr Elston), of course, would make sure it was the automobile industry. I understand that, and I understand why he does it. We understand very clearly why he has done what he has done with the automobile industry.

Hon Mr Elston: Go to the Bank of Montreal. Join the NDP and get reduced interest rates. You've got to be a member of the NDP to get reduced interest rates. That is where that party belongs.

Mr Laughren: I could tell the member for Bruce something about the automobile industry, that bunch of bandits out there in the automobile industry. I must confess, though, that I am angry about the automobile industry, as I am about the distilling industry, because I just got a letter from the automobile industry last week telling me that my rates were going up from \$2,800 to \$6,000 a year for my car insurance. Is it any wonder that we regard that industry as a bunch of bandits? The member for Bruce is one of those bandits too. He has become inseparable from the automobile insurance industry.

Despite promising to reduce insurance rates, this government has made sure that they have gone up. What do we call people who make a firm promise and then break that promise? Whatever it is, that is exactly what that minister is. That minister promised lower insurance rates and then immediately set about taking every course of action possible to make—

Hon Mr Elston: What kind of deal did you guys make? Cheaper interest rates for NDPers. Others need not apply.

The Deputy Speaker: Order, please. Could I ask the member maybe to choose language that is a bit more parliamentary than calling a member a bandit, please?

Mr Laughren: Mr Speaker, I am sure you would agree that the member for Bruce was being very provocative in his interjections.

Hon Mr Elston: You are being provocative.

Mr Laughren: I do not mind the member being provocative, but he has to be able to take it when it is given back to him.

The Deputy Speaker: Order, please. One member at a time. The member for Nickel Belt will address his remarks through the chair and there will be no interjections from anybody else.

Mr Laughren: Thank you, Mr Speaker. I do not want to go on at too great a length, because I think other people should have an opportunity to savage this government and its incredible tax policy.

This really is part of an overall tax policy. We can say that Bill 37 is simply an act to provide “for a reduction in the business assessment of land used by distillers.” That is really what it is. So the government members surely will not argue that the purpose of this bill is to reduce the business assessment of land used by distillers—that is what it is—and that the reduction in that taxation will be picked up by the taxpayers of Ontario. That is clearly what the bill is all about; there is absolutely no question about that. No government member would argue against that.

What they will not tell us, however, is what the real reason for that is. Is this part of an overall tax policy to reduce taxation in the distilling industry? Because they pay the highest rate, is it a signal that everybody else who pays at a higher rate should line up at the door of the government and call for lower taxation too? What is it?

How did they arrive at this particular industry to give a tax break to? There had to be some logic behind it. I do not know what it is and I am hoping that somebody will stand in his place on that side and say, “This is why the distilling industry needs this \$4-million tax break every year.” I have not heard a logical explanation for that yet. I would have thought that either the minister or his parliamentary assistant would have been able to give us that answer, but apparently it is not forthcoming.

If I was any of these other industries on that schedule of taxes that they pay, such as the wholesaling and warehousing, such as financial, and even the brewing industry, I would be asking, “Why are we paying more than manufac-

turing?" Why do these people pay more than the manufacturing industry? They will still be at 75 per cent and manufacturing will be at 60 per cent. What is the logic behind that?

If I were those people, I would be knocking on the government's door. I would be banging their door down and asking: "Why are you discriminating against us? Why are you just giving the distillers of this province a break and nobody else?" That is what I would be asking them. Because they pay the most taxes? If I were Conrad Black, I would be knocking on the government's door too, saying: "Hey, I think I am paying too much tax. I am paying more tax than my neighbour." How in the world does this make any sense whatsoever?

The real insult for me is what they are doing once again to the property taxpayer. I have felt for some time now that if there is ever a tax revolt in Ontario, it will start at the property tax level. That is where it will start, because what they are doing is inappropriate. To be sticking it to the property taxpayer, based not at all on ability to pay, is unfair. It is unseemly of any government that professes to be reform-minded. Absolutely ridiculous. That is what they are doing here.

The bill states very clearly that there will be a government subsidy of—the bill does not state the percentage actually, but we do know that for the first three years, it is going to be on a sliding scale. Then, for 1992, 1993 and 1994, the section provides for the Minister of Municipal Affairs to make further grants "to compensate those municipalities in which the losses of revenue resulting from the business assessment reduction for distillers are considered by the minister to be significant."

So, after the first three years, the minister can determine that the reduction in revenues is insignificant for every single municipality. There is absolutely nothing in this act that requires any kind of subsidy to replace that lost revenue after 1991. Absolutely nothing, zero.

So what reason do the municipalities have to believe that there will be any assistance from this government after 1991, given how the government has stuck it to them since it came to power? If I were a municipal politician in one of the 10 municipalities that are going to be affected, I would be mad as hell at the government about this bill.

I sure would be angry, because they can anticipate that they are not going to get any help after 1991. They had better start fighting now, because if the past behaviour of this government is any indication, it is going to pull the plug on

them after it is no longer legislatively required to help them, which will be at the end of 1991.

Mr Wiseman: After the next election.

Mr Laughren: Yes. The member for Lanark-Renfrew makes the point that those grants just happen to end in 1991, which in all probability will be an election year. They will get the grants of 1991, 1992, 1993 and 1994, depending on the outcome of that election, of course. We can be sure that those municipalities are going to get it in the ear, as the member for Scarborough-Ellesmere has been heard to say so often.

1650

That is really unfair, too, to say that after 1991 the affected municipalities will get grants depending on whether or not the minister considers their loss in revenue significant. How can they not be significant when we know exactly what they are going to be and the government is subsidizing them for the first three years? Are they subsidizing insignificant losses in revenue? Does that mean then that the government is not going to continue to subsidize them after 1991? That is really what it comes down to. That is exactly what it comes down to.

If I were those 10 municipalities, I would be lined up at the door of the government right today saying that they expect those subsidies will continue. That really is offensive. Here I am recommending something I do not believe in.

Mr Faubert: Heaven forbid.

Mr Laughren: Well, here we are reducing the distillers' taxes to the municipalities and saying that the Ontario taxpayer will make up the difference. That is what we are saying. The only difference is if the government does not provide the subsidy, the property tax base will do it, which is even more regressive than the consolidated revenue fund in Ontario.

What a Hobson's choice that is. In one case the government has the property taxpayer making up the difference of the lost revenues that the distillers are now paying and in the other case it has all Ontario taxpayers making up the difference of what the distillers used to pay.

I do not think any fairminded citizen in Ontario believes he should be subsidizing the distillers to that tune. The minister would argue: "That's not a subsidy. They're just paying more than their fair share now." Once again, how many taxpayers out there in Ontario really believe that the distillers are paying more than their fair share of taxes, given the social costs of the product they produce? It is an outrageous assumption on the part of the minister.

I thought his parliamentary assistant would have put him back on the rails and said, "Look, Minister, if you want me to continue to be your parliamentary assistant, then you'd better change this, because I'm not going to be part of any kind of operation that makes the property taxpayers essentially subsidize the distillers in Ontario."

The member for Scarborough-Ellesmere could easily have resigned from being parliamentary assistant, because I have always believed that is a job that the member for Sudbury (Mr Campbell) should have. I was insulted, and so were the people in Sudbury, when he lost his job as parliamentary assistant before. I thought that was outrageous. I still believe that the people of Sudbury have a right to a parliamentary assistant.

When there are 94 members on the government side, I think the member for Sudbury should be a parliamentary assistant. Since I think the member for Scarborough-Ellesmere is doing a lousy job as parliamentary assistant to the Minister of Revenue, I therefore suggest to the government that the member for Sudbury would make an appropriate replacement for the member for Scarborough-Ellesmere.

Mr Faubert: I think he would make a great one.

The Deputy Speaker: Order, please.

Mr Laughren: Either the member for Scarborough-Ellesmere got hoodwinked by the minister, in which case he should resign, or, second, he is supporting the minister, which is terribly inappropriate given the nature of this bill, and should resign as well. I do not think the member for Scarborough-Ellesmere has any choice at all. I wish that those appointments could be put to a vote of this assembly, but unfortunately we have not democratized the system that much yet.

I hope the minister would be prepared to table with this House as soon as the information is available, not that I am drawing any conclusions or making any inferences in this regard, all contributions of the distilling industry to the Liberal Party in the last three or four years.

Mr D. R. Cooke: That's all available.

Mr Laughren: I think the minister should be required to table it. Given the nature of politics in Ontario today, I think the minister should be required to table that. I hope he would respond to that when he winds up his remarks.

I just wanted members to know that I am opposed to this bill and that I shall be voting against it because I think it is completely inappropriate. I think it discriminates against all

other industries in the province, because all other industries in the province do not produce a product with the attendant misery attached to it that the distillers do. I am not saying that in a sanctimonious way, but rather simply that we recognize that there are particular costs attached to the product produced by the distillers. And for us to say that the distillers simply have to pay the same rate as anybody else makes no sense whatsoever and I do not think the argument can hold water, so to speak.

I think that the minister should reconsider. It would be a precedent for the minister to withdraw the bill at this point in the debate, but on the other hand it would be a good precedent in this case and would perhaps salvage the job of the member for Scarborough-Ellesmere as well, because I would assume that when the cabinet shuffle occurs this summer that it will include parliamentary assistants and that the member for Sudbury will be back where he belongs, namely as a parliamentary assistant. I think that is talent going to waste that should not be allowed to go to waste. I think the member for Sudbury could assist the Liberals in the direction in which they are presently going and I would very much support his appointment as the parliamentary assistant to the Minister of Revenue.

I really did want members to know why I cannot support this bill, why I think it is an inappropriate bill and why I believe that the arguments put forth by the minister are pure nonsense.

Mr Cousens: A number of points have to be raised with regard to Bill 37, and I am very pleased that the Minister of Revenue is present in the House while we have a chance to debate this bill. Even with the Liberals' majority of 94 seats they still have to bring bills to the Legislature to be considered and they cannot just pass them in cabinet; it cannot be done in secret. Democracy still can work.

Unfortunately, the likelihood of our being able to vote this bill down is impossible, especially with the stampede of 94 members that the minister and the whip will bring forward. But I compliment the minister for being here to participate in this debate. The Attorney General has deigned always to have his parliamentary assistant carry the bills, but here is a minister who is prepared to sit and face the music and I commend him for that. Even though he is bringing in bad legislation, he at least has the courage to come around and face the music.

There is one fundamental rule I wish this government would learn, and unfortunately there

has been a precedent in previous governments, but it has to do with the fact that it has retroactivity. The government will take a bill, announce it for first reading on 21 June—just a couple of weeks ago—and yet the bill is deemed to come into force on 1 December 1988. Why can we not in this province deal with the future? Here you get governments meddling in the past and that is going to create all kinds of trouble for the municipalities that have to work out their budgets and accounting because of what happens with this bill.

The government should start off with a few clean, fresh principles. When it came into power four years ago it was going to be an open government; it was going to be a new approach; it was going to be this, it was going to be that. What we are seeing instead is just an awful lot of bad decision-making—the kind of thinking that has gone into this bill that really is not able to go beyond to look at some of the other aspects.

1700

I have a series of questions I am going to table and I know that the minister will never answer them, but at least they will be down on the record and I will have at least served my constituents and the people of Ontario by having asked them.

The first one: Why is it that the government has to make it retroactive? There are plenty of ways in which it can deal with municipalities, industry and business, but to come along and consistently try to turn the clock back and deal in the past is not where the government should be going. I find it repulsive and reprehensible that this government continues to try to move things back into the past. What it does is create all kinds of problems for the municipalities involved.

There are four municipalities that are significantly affected by this bill. We have got the township of Thurlow, Collingwood, the township of Maidstone and the township of Amherstburg. These four municipalities have a large amount of land in their jurisdictions that are really part of the spirit business, and they are going to lose assessment because of it. I do not hear any of the Metro Toronto members defending the needs of Toronto, Scarborough or Etobicoke, which are all going to be impacted in a negative way because of this bill. Where are all these Liberal backbenchers and what are they doing to protect their municipalities? Sweet nothing.

The member for Scarborough-Ellesmere, even there, as the parliamentary assistant to the minister, has had every chance to try to influence this government to do something to protect his

own constituents in Scarborough and he has done zip all. I am almost inclined to agree with the member for Nickel Belt (Mr Laughren) and suggest that we get the member for Sudbury in as parliamentary assistant. Maybe we should promote the member for Scarborough-Ellesmere to cabinet minister, make him Minister of Transportation, and we will see just how skittish he is.

I have to say there is a serious problem with this bill and it has to do with the impact it is going to have on a large number of municipalities. What do they have to say about it? They hardly have a chance to say anything, because it came in on 21 June and now here we are on 4 July and it will be passed. We will resist, we will comment, we will try to put forward other arguments, but I know when we have got the Minister of Revenue nothing gets in his way. The Minister of Revenue has a way of winning every battle. Even though he is only a messenger most of the time, this happens to be one of the times that he himself has been involved with it.

I notice his own municipality is not impacted; I do not see Vanier affected. I guess he had some concern there, for his own community, which raises the question of why the minister is doing this. Who put him up to it? Is he going to tell me that no one influenced his thinking, that it just came as a brainstorm that took place across the street in his office one day? I would like to know why it is he has to proceed with this immediately and why it is so important that it be done. It is imperative that the minister understand and we are able to understand his thinking. We do not, as it stands.

I would like to know if the minister has had any consideration as to the impact this bill will have on the free trade agreement between Canada and the United States. Does it in any way affect our countervail? Has he considered if it does or does not? I know this government has been opposed to the free trade agreement right from the beginning, but does it have any implications by virtue of the preferential treatment he is now giving one industry over another? I am not just sure.

I would like to know if there are any other industries this minister is looking at as to whether they are receiving any kind of preferential treatment and whether he should be doing something to relieve them of the extra burden they are having. If this in the name of fairness, which is what the minister is trying to present by giving this bill to the House to debate, why then does he not look at other businesses and other companies or other communities that have a special need?

I would also like to know why the minister has not begun to look at some of the other areas in the assessment of municipalities that need to be looked at. Why has he not begun to look at the Condominium Act to see what can be done there to protect condominium owners? I have a condominium in my own community, and it is really quite dreadful what has happened to them. They put the deposit down on their condominium and that deposit is their down payment. It turns out that does not get considered by the tax laws. They get a T-5 form or something that comes back after it has been sitting there for a year and they have to pay income tax on the interest that was earned on the deposit for their condominium. That is a part of the act that needs to be changed.

Also, the fact is condominiums are assessed on a far more frequent basis than are other dwellings. Why not deal with assessment as it touches upon the whole of our community? If it touches on one business, let's see what we can do to correct any problems in other areas. If there are problems with the Condominium Act, why not open it up? What we see this government doing is just piecemeal action here and there, coming along, "We'll touch this, we'll tamper with that," and then what you end up having is the kind of confusion I am going to talk about in a moment.

I happened to think back to the days when there was another minister in his portfolio. He said, "The best thing that could ever happen is if we had a session in which the Minister of Revenue brought forward no bills." That would be a pleasant moment because it would mean no surprises, no extra and additional burden on the taxpayers across the province. Usually it is just a bad news ministry. He comes out and he just keeps on hurting and hitting at the small people. This is an occasion when he is coming out to do a favour for one particular industry, but it is not a consistent pattern.

What I would like to see is a minister who is in fact going to be taking seriously the need for having balance and doing the right thing. What is happening here now is that all the municipalities are again picking up the bill. What this government has done in the last four years is pass the responsibility for more and more things on to the local municipality and not give them the funding and the support to do it. Therefore, the local property owner is paying more and more taxes.

In my own community, taxes have gone up by something like 17 per cent and there are other communities around that have had increases, as well. This year, it is the exception if a

municipality did not have an increase of at least 10 to 15 per cent. What is going to happen is that next year and the year after that we are going to have another increase in municipal taxation levels of 10, 15 or 20 per cent, so that within five or six years we are going to see a doubling of property taxes because this government here at Queen's Park has withdrawn its support and is forcing the municipalities to carry the whole load.

This has happened in so many other things. The unconditional grants for 1989 have been frozen at the 1988 level. In making this decision, the province has effectively ignored its own established grant-setting formulae. This province again has impacted in a negative way on the municipalities through the retail sales tax that went up last year. They all had to pay the extra sales tax; they had not budgeted for it and therefore there is an additional amount of money they have to raise in order to pay for those sales taxes. There is the gasoline tax. Again, when you have the large budgets that the municipalities in and around the greater Toronto area and the other large cities have, it becomes a large, extra burden on the local ratepayer to pay the gasoline tax.

I would like to say that the Minister of Labour (Mr Sorbara) came along and he came forward with pay equity, which is costing municipalities a great deal of money. It is not just in wage adjustments, it is also in the whole implementation of those programs.

A fifth increase in costs for municipalities is the workplace hazardous materials information system. By making amendments to the Occupational Health and Safety Act, which became effective in October 1988, employers and municipalities are required to prepare lists of hazardous materials on their premises and train employees to handle the materials. All this adds to the burden of local municipalities.

My reason for raising these first five points and the next 12 that I have to touch upon is that they illustrate that this province is passing more and more of the responsibility on to the local municipalities without giving them the funding and the resources.

By the way, I know the minister will say when I am finished, "I say in this bill in section 2 that I may make grants to help make up for some of the problems." It is "may." Why not say that he will make the grants? If the municipalities of Scarborough, Etobicoke, Toronto, Collingwood, Amherstburg and all those others are going to be impacted in a negative way, why does he not guarantee to help carry the costs for them?

Among the other bills that are going into the local municipalities, we have the occupational health and safety bill, Bill 208, which will be argued and debated at length in this place. What will happen here is that the local municipality can face shutdowns and inspections; heavy increases in cost in running the municipality. If the workers' compensation bill, Bill 162, comes into effect, this will cause employers to provide modified work to employees who have become injured and this will significantly increase municipal salary costs. It is just another way of passing the buck, passing the burden, on to the local municipalities.

1710

The whole roads program is another example of where this government is failing the local municipalities all across this province. The grants available under the roads assistance program for 1989 have been frozen at the 1988 level. Some municipalities will have to spend 100 per cent municipal dollars to undertake routine road maintenance and many new construction projects have to be postponed or cancelled. This is another example of this government's failing to serve local municipalities.

I support some of the things they are doing for the disabled, but the fact is that by expanding the eligibility criteria for transit for the disabled, it means the local transit systems pick up the extra cost. Again, who pays for it? It will come out of the local taxpayer.

We are seeing general welfare assistance in this province where the rate increases that have been announced again require heavy additional municipal dollars.

On 20 February 1989, the Minister of Community and Social Services (Mr Sweeney) announced a regulatory change that capped the per diem subsidy of extended care in municipal homes for the aged at four per cent over 1988. This will have a serious financial impact for many municipal homes for the aged, with the municipal tax base contributing to the heavy care component of these homes.

I also see this government coming along and setting up draft housing policy statements. What we are seeing then is the changing of the responsibility that municipalities had previously had, now forcing a whole new set of costs on the municipalities in order to provide additional services.

There has not been enough debate in this House on the municipal-industrial strategy for abatement, known as MISA, but MISA proposes

to give municipalities the responsibility for monitoring and regulating industrial discharges into the municipal sewer system. Municipal budgets will have to accommodate significant capital costs for upgrading and construction of appropriate treatment facilities, ongoing monitoring of discharges and enforcement costs. Again, this is another reason why I say this government is passing the buck back to the local municipalities and should not be doing so.

I also see the costs associated with the waste management master plans. The provincial legislative and policy requirements have forced municipalities to undertake waste management master planning to guide the management of their municipal waste. These are again an extra cost on the local ratepayers.

Another small one: Local municipalities are expected to contribute up to one third of the cost of hospitals, yet when the new lot levy proposal came out from this government, it forbade the raising of lot levies for their shared component of hospital construction. This is another example where local municipalities are expected to carry a cost in providing hospitals and needed health care, yet this government is taking away the right to raise that through lot levies. It will therefore come through the tax base in each municipality.

We also see this government come forward with Bill 187, the Police and Sheriffs Statute Law Amendment Act. The province is considering this bill, which will require municipal police forces to provide court security. Municipalities will either have to increase police force staffing or reduce police force services elsewhere in order to comply with this bill.

This is my 17th example. I could go on, but I will end at the 17th. The decisions this government has made to force boards of education to provide more and more services, reducing class sizes in grade 1 and grade 2 and increasing the use of computers and educational software, again all add to the costs of running the school system.

Many of these proposals are worthy. Many of them are beneficial, but all of them are happening at once and the government continues to throw them out there and force the municipalities to have to carry the load. I just wish the government would have some way of having some fairness and balance so that there was not this constant hitting and attacking the local ratepayer.

Why does the government not clean up its act here at Queen's Park? Instead of hiring 7,000 additional civil servants, as they have over the last four years, let's start controlling their budget and controlling their spending. Let's start having

some equity for everybody. Let's start bringing laws in that are going to protect and defend every business and every industry across this province.

That is not just coming along and having preferential treatment for one business and not doing it for others. The fact is that here is a government that seems to be influenced by influencers. I do not know who it is or what it was that motivated this Minister of Revenue to come forward with this bill.

I hope he is able to clarify this when he has his final wrapup, because we would like to know why it is he is coming forward with this legislation now. Why is it so urgent? Why is it he is making it retroactive? Why is it he has not explained all these concerns we have about its impact on free trade or the General Agreement on Tariffs and Trade? Why is it this minister has not done something for some of the other industries in this province that need it?

What I see is a government here that operates by ad hockery. It will do something here today and something there tomorrow, but there is no consistent, overall theme or plan.

The fact of the matter is that our caucus will be coming forward with a number of reasonable amendments, including one to remove the retroactivity. Let's not make it retroactive, as this government has it now. I think it is very important that the minister consider striking out the word "1989" and allowing it to come into effect in 1990.

We realize the government is pretty determined to proceed with this legislation. We will probably support it, but we are very reluctant to do so for the reasons I have given. I just hope this minister will be in a position to explain and answer honestly and intelligently, for all of us to know, why it is he is doing this. This will make it a lot easier for us to support it, should we in fact do so.

The Deputy Speaker: Questions and comments on the member's statement?

Mr Faubert: One of the points I would like to put on the record, because the member for Markham mentioned Scarborough in this, is that it is obvious he has not had the advantage of reading the projected tax offsetting grants for municipalities, because in the—

The Deputy Speaker: Order, please. It has just been brought to my attention that the member is not in his seat.

Mr Faubert: Okay. Let me run back here.
Interjections.

Mr Faubert: No, he recognized me. It is the eye of the Speaker that should be at fault.

I should point out to the member for Markham, just for his information, that the city of Scarborough's projected revenue shortfall is exactly \$3,427 in the first reduction year, and the bill's continued additional revenue impact when the assessment is reduced to 75 per cent is exactly the princely sum of \$939 on a continuing basis to the city of Scarborough.

When one considers that the overall budget of Scarborough is somewhere around \$93 million, we are talking of a very, very small percentage. I just thought I should bring that to the attention of the member for Markham.

Mr R. F. Johnston: Mr Speaker, perhaps I could retaliate on your behalf for that unseemly attack on your eyes by these one-trippers. It is unfortunate this should take place.

I wanted to say that it may be all right for the member for Scarborough-Ellesmere to get up, and in rebuttal of the member say that this is a drop in the bucket in the overall Scarborough tax base, but let me just say this: I have a number of constituents who would love to have a \$900 break in the property taxes they have at the moment, which are too high for many of my constituents in Scarborough West.

It is interesting that the choice of the member for Scarborough-Ellesmere is that one should give this break to the corporations that produce the spirits in Scarborough and not to the people in Scarborough themselves, and that there is no protection—

Mr Faubert: You don't produce—

Mr R. F. Johnston: Pardon me? Again, he wants to harass, and I might as well—what is the harassment?

Mr Faubert: It is one small business office in Scarborough.

The Deputy Speaker: Order, please.

1720

Mr R. F. Johnston: We have one small business office. Again, speaking through you, Mr Speaker, and not being drawn into this unseemly discussion, what we are trying to say to the member is that this is his priority as a government, a must-have bill which he is saying reflects one business in Scarborough that should get a break, when not one of my taxpayers in Scarborough, paying property taxes that are too darn high at the moment for education, should have to assume some of these costs he now is taking away from the distillers, who have a

perfect ability to pay for this, unlike my constituents.

Mr Wildman: I just want to point out that the member for Scarborough-Ellesmere sounds much better as Bill Wrye or René Fontaine than he does as himself when he speaks from his own seat.

Mr Cousens: It is a surprise to me that the member for Scarborough-Ellesmere would come and say, "It doesn't matter if we nickel and dime the taxpayers in Scarborough," because that is basically what he was saying. We take another \$900 here and another \$900 there and that is what happens. Here we have the philosophy permeating this Liberal government. It does not matter if we come along and take a few more dollars here or there.

If he got more frugal, just held back and did not start spending everybody's money, then we would end up having a far happier society. It is a fact that there are many people who would love that \$900 in their pockets and not having to pay those large local taxes. The fact of the matter is that there is no guarantee by this legislation that this minister is going to reimburse those municipalities.

It is very clear in section 2. Not very many people are privileged enough to be able to read this bill, but I can and it is right there, "The Minister of Municipal Affairs may make grants." That does not mean to say he is going to and I have no confidence that he will, unless he changes that "may" and says "will."

It is a surprise that the parliamentary assistant is fighting for his job in public as he has done this afternoon, fighting and grappling in the mud and dirt, trying to protect his minister rather than his own local ratepayers and his own community and municipality of Scarborough, so that they are the ones who are the winners. What in fact ends up happening now is that they are the losers by virtue of not having a defender right there in the minister's office to make sure they are not going to be taxed and taxed again.

That is all it is. It is just another bit more and another bit more. Before you know it, people cannot afford to own a home or live there any more. We have to do everything we can to bring costs down, bring them under control and that is something this government does not know how to do.

The Deputy Speaker: Do other members wish to participate in the debate?

Mr D. S. Cooke I just want to take a very few minutes to speak on this issue. The minister will be aware that local members in the Windsor-

Essex area have been involved in it for quite some time. In fact, I was quite surprised when I saw the member for Windsor-Walkerville (Mr M. C. Ray) leave the chair and walk in with a file folder. I thought for sure he was leaving the chair in order to speak on this issue since Hiram Walker, one of the biggest distilleries, is in his riding.

I am sure that as a former member of city council, he, as many municipal politicians across this province, is very offended that here we go again with this government, shifting responsibility away from the province and on to municipalities. This is something that certainly the member for Windsor-Walkerville spoke a lot about when he was a member of Windsor city council, but he does not seem to have carried those feelings here.

I have some sympathy for the concerns that have been expressed over the years by distillers. Obviously, the rate of business tax, at 140 per cent, makes absolutely no sense at all when its competition, to a large extent breweries, is paying 75 per cent. I guess one of the other ways of solving the problem would have been to bring breweries up to 140 per cent, or if the government believes that there is a taxation problem with the products that are produced by distillers, then perhaps the Minister of Revenue and the provincial Treasurer should discuss that openly and bring some proposals on the total package of taxation.

Certainly, cases have been made by the industry and by the workers who work for the industry that the increase in taxation—federal taxes, provincial taxes, business taxes—have resulted in an inability to compete with some of the other products, and the shift in demand by the public to wines, wine coolers and beers has resulted in jobs being lost.

I think it is important for workers in the industry to look also at the job loss as a result of mechanization and automation in the industry, which has resulted in an awful lot of jobs being lost at Hiram Walker's. I would dare say that the majority of the jobs that have been lost have been lost through automation and not through taxation or even through the drop in demand for distilled products.

I think the minister has really copped out by bringing in this legislation and saying: "There's a problem with taxation, but we're not going to pay it. We're going to pay it for a couple of years, and then ultimately the compensation or the decrease in property taxes to be raised from these corporations is going to be picked up by the property taxpayers." I think there is no other way

for the minister to say it than that that is exactly what is going to happen after three years.

In our area the municipalities, the county, Maidstone and the city of Windsor have expressed serious concerns to the minister about what will happen after that three-year period. They have not shown over the course of discussions unanimous agreement or support of this type of legislation, because they have seen it happen before with the Minister of Revenue that deals are struck, and then after the phase-in period, the province opts out and says, "Raise your property taxes and solve your problem that way." In areas like Windsor, there has not been a huge increase in assessment. There is not necessarily going to be compensating assessment, and even if there is growth, this is still clearly a shift to property taxes to compensate the distillers.

The minister thinks there is a problem, and I agree. The 140 per cent presents a problem. If that is a problem, why can the minister not make a commitment in this Legislature that there is going to be 100 per cent compensation by the province, that it is a provincial decision and compensation is going to be indefinite, that it is going to go on indefinitely, and build that into the system?

In terms of school boards, the minister has said absolutely nothing. The member for Nickel Belt has made it very clear. His compendium of information that he has sent out says that the loss of assessment to school boards will be compensated through the general legislative grants. Can the minister tell me what that does for a place like the county of Essex or the city of Windsor, where they both spend over the ceilings?

The minister has his ceilings for the purposes of grants, and any expenditures over and above the ceilings have to be raised 100 per cent by the local property taxpayers. All school boards, with the exception of a couple in the province, spend over the ceilings, so that means the school boards are going to have to raise money locally, because the only portion that will be compensated will be that amount of money that is granted under the general legislative grants under the spending ceilings.

There is going to be a significant shift to school board supporters now that we are going to be sharing some commercial and industrial assessment between the two boards. Both the school boards are going to suffer, and local property taxpayers are going to have to pick it up again. We are going to see property taxes rise as a result of this.

Municipal taxes are definitely going to be very substantial. In the figures I have down our way that were presented to us a year ago, for example, the county school board, I believe, is going to lose assessment in the area of \$149,000 in the Amherstburg area alone, and in the Maidstone area, \$498,000. I believe the figure in the city of Windsor for Hiram Walker's is going to be a loss of \$800,000 and something in assessment to the city. Who is going to make up this lost revenue? Who is going to pay? The province is going to cover it for a few years and then after that we are going to have to pick it up as local ratepayers.

I think it is terribly unfair and I think the minister is being less than totally honest with the ratepayers of this province when he does not tell them that school boards are very much going to be affected as well. In fact, school boards have not even been involved in the negotiations, as far as I know. In the meetings that the minister held and the meetings that my office staff attended, school boards were excluded from the discussions. Municipal councillors were brought in and that is it.

1730

As has been pointed out by my colleague the member from Hamilton on many occasions, I would encourage the minister to look at the system of business tax assessment and come up with a rational system, instead of having the percentages all over the map: manufacturing at 65 per cent, distillers currently at 140 per cent and breweries at 75 per cent. I am not sure where wineries fit in in this. I ask the minister what wineries are at. What percentage are they at?

Hon Mr Grandmaitre: They are at 60 per cent.

Mr D. S. Cooke: So wineries are at 60 per cent, breweries are at 75 per cent and distillers are at 140 per cent. If he could make the argument that distillers should be brought down to the level of breweries, is he going to be coming back to us in a couple of years and saying that breweries and distillers should be brought down to the level of wineries? They compete; they are in the same market.

I really feel that the municipal taxpayers have been left out of this process and the government is trying to give a benefit to distillers, which have been very profitable over the years and are large companies, multinational corporations that really do not need this kind of tax assistance from the government.

Once again, property taxpayers are going to get it in the neck. The government is giving a few million dollars to the distillers. They expected

that this bill would go through in one afternoon and that there would be no discussion on it. Clearly, it has elicited a fair amount of discussion and will continue, I would say, for quite some time.

When we get into committee of the whole, the minister is going to have to answer very clearly to the municipal ratepayers and explain to us and make commitments to us as to what will happen after that three-year period. What are his plans at this point? How is he going to guarantee that property taxpayers are going to be protected?

Mr Speaker, unfortunately, you have gone into the chair, so I cannot make any further comments about participation from other members from the Windsor and Essex area. I will not do that because that would put you in an awkward position.

Finally, I want to express my disappointment. We have written the minister several letters on this matter over the last couple of years. I have some sympathy, as I said, for the issue of the 140 per cent going down to 75 per cent, but I do not think he has at all built in protections for the ratepayers. What he is doing is giving something to the distillers. He is saying that as a matter of principle it is unfair that they pay a higher business tax assessment than other areas in the business field, but he is not prepared to pay for it. He is going to make the municipalities pay for it; he is going to make the local property taxpayers pay for it.

I think that is unfair and that is adequate reason to vote against this bill. It is not because the current system does not need reform; it is just a matter that the way he is reforming the system is incredibly unfair to property taxpayers. It is going to result in one of the most regressive forms of tax going up to pay for a commitment that his party made to distillers, but not a commitment that municipal councillors or municipal politicians made to distillers.

The Acting Speaker: Before we go to comments and questions, I would like to make a statement to the House.

Inasmuch as I have been mentioned by the member for Windsor-Riverside with regard to statements or positions I may have held personally, I want to say to the House that it has been my position that so long as I am in the chair with respect to a particular matter before this House or there is the possibility that I may be in the chair with respect to any matter before this House, it is not my intention to participate in the debate. It is my intention to respect the impartiality of the chair with regard to any such matter, as is the

tradition of the chair in all parliamentary democracies.

I would appreciate it if members would respect that and not attempt to draw me into the debate at any time.

Mr D. S. Cooke: On a point of order, Mr Speaker: I think it is unfortunate and inappropriate that you have raised this matter in the way you just have.

Hon Mr Elston: You raised it.

Mr D. S. Cooke: The member for Windsor-Walkerville, I am sorry, was in his seat as a member of this Legislature when I raised the matter.

Mr Speaker, there is not a tradition in this place for a Deputy Chairman of the Committees of the Whole House to take the position that you have taken. If you want to take that position, then I would suggest that you absent yourself from every vote in this place as well. Otherwise, I think your comments were very inappropriate, and as a colleague of yours in the Windsor area, I intend to hold you accountable for the positions you have taken as a member of this Legislature.

The Acting Speaker: Are there any comments or questions arising out of the statement by the member for Windsor-Riverside?

Mr Laughren: I assume I can comment on either one of his statements, on the point of order or the other. It has been a remarkable turn of events, your most recent comments about not speaking on debates, because I do not know how you make a distinction between not speaking on debates and voting on what ensues from that debate. It really does puzzle me.

However, I wanted to go back to the comments of the member for Windsor-Riverside when he talked about property taxpayers. I could not help but think about the difference between the member for Windsor-Riverside's plea on behalf of the property taxpayer and the member for Scarborough-Ellesmere, who stated—and I am sure he will correct me if I am wrong—that a property taxpayer in Scarborough—namely, a distiller's office—will have its property taxes reduced by \$942?

Mr Faubert: It will be \$319 on a continuing basis.

Mr Laughren: I would hope that before this debate is completed, the member for Scarborough-Ellesmere will be able to find for us one other property taxpayer in Scarborough who has had his taxes reduced by \$319.

Interjections.

The Acting Speaker: Order, please.

Mr Sterling: I would like to indicate the support of our party for this legislation.

Hon Mr Elston: What about the member for Markham? Is this more smoke and mirrors?

Mr Sterling: If the member for Bruce would like me to withdraw my support, I wish he would continue on; I wish he would blow the tradition.

During the time of minority government from 1985 to 1987, there was a bill brought forward to amend the Assessment Act. At that time a presentation was brought before the committee that was dealing with the amendment to the Assessment Act.

It is interesting to note that at that time both the Conservative Party, now the third party, and the New Democratic Party requested this very change take place in the Assessment Act. The member for the New Democratic Party—who has a great deal of respect, now of course given an honorary doctorate in the province—Dr Swart, while he understood many of the arguments put forward by the New Democratic Party, saw that the reduction in the assessment from 140 per cent to 75 per cent of the retail property tax was in fact a fair reduction in view of the fact that the other industries they had to compete with, the beer and wine industries, have tax rates of 75 per cent and business in general has a tax rate of 50 per cent of the realty tax. It is only an anomaly that the distilleries have a tax rate of 140 per cent of the property tax rate.

1740

Both Mr Swart and myself at the time in the committee thought that the tax was unfair after we had heard the presentation from the Association of Canadian Distilleries. We felt so strongly about it that we requested from the Treasurer, who was also the Minister of Revenue at that time, a commitment that this law would be changed. I want to thank the Minister of Revenue for bringing forward the change, because it was a commitment made to a legislative committee that this change would occur. This act is nothing more than a fulfilment of that commitment.

We might meet the arguments with regard to the drop in the revenues of the various municipalities. It was a feeling of the committee at that time that it could not deal with the issue because there was not an adequate guarantee to the municipalities affected that they would have some compensation for this loss of revenue. Since that time, of course, two years have passed. We have a commitment by the Minister of Revenue that over a three-year period there will be some

assistance to these municipalities to make up this loss of assessment that they will undertake. I believe that most of these municipalities have agreed, albeit probably reluctantly, to this change in the law.

However, notwithstanding that we do not like to see large corporations get a break, because that appears to be unpopular with the public, I would like to say that we must allow our industries to compete on a level playing field with each other. If the breweries and the wineries have a tax rate of 75 per cent or less, then I think the distilleries should have that same rate. If we want to tax at a higher rate distilleries or people who produce alcohol, then so be it; but let's do that straightforwardly in another form of taxation.

If we are talking about property taxes, they should be roughly equivalent for all of the people who are involved trying to capture the same market; therefore, my caucus colleagues have indicated to me that they will support Bill 37 on second reading. We hope that the minister in exercising any discretion in assisting the municipalities that are affected will properly take care of the shortfall in revenues that these municipalities will have and, in particular, the smaller municipalities, which will feel the severe blow of a loss of assessment.

With closing remarks, I want to thank the minister for fulfilling the commitment that was made by the Treasurer to both the Progressive Conservative Party and the New Democratic Party in the last Parliament that this legislation would be brought forward.

Mr Laughren: I just want some clarification from the member for Carleton. I was in my place a few minutes ago when I heard the member for Markham, also in the Conservative caucus, speak in a way that I thought was quite critical of this bill and certainly led me to believe that he, not to mention other members of his caucus, was opposed to this bill. Now I hear the member for Carleton speaking in support of the bill. I know this will come as a surprise to members of the assembly, but I am confused. I do not know whether the Conservative caucus is in support of this bill, which will in effect subsidize the distillers at the expense of the local property taxpayers, or whether it is opposed to it.

Mr Fleet: If they don't know, why should you?

Mr Laughren: I think it is only fair that the member for Carleton be given an opportunity to explain the position of his caucus on this bill. If one of us did not stand in his place in this time slot for comments and questions, he would not have

the opportunity to rise in his place and explain it, because the debate would then move on to the next speaker. For that reason, I really think I am doing the member for Carleton a favour by asking him to clarify just what the position of the Conservative caucus is on Bill 37.

Mr Sterling: I want to make it clear to the member for Nickel Belt that our caucus is in favour of Bill 37, but I want to say that we allow, from time to time, dissent in our caucus.

Hon Mr Elston: Creative dissent.

Mr Sterling: Creative dissent. Some will recall that other members of our party have dissented from time to time on issues. We do not see that, in our parliamentary system, as a great detriment to the system. In fact, I would like to see, from time to time, one of the 94 members from the governing party stand up and oppose one piece of legislation.

Mr Laughren: Sterling Campbell will be the first.

Mr Sterling: We have not seen that happen. We have not seen that even from the member for Sudbury, the parliamentary assistant to the Minister of Revenue, as I understand he was appointed earlier this afternoon.

I want to make it clear. As the deputy House leader for our party, I have the House leader beside me here to confirm that our party is foursquare behind Bill 37 but that we respect the opinions of our colleagues. We asked the member for Markham to put his remarks on record so they would be here for posterity.

Mr Charlton: It gives me some pleasure this afternoon to rise to address Bill 37, some very small amount of pleasure, because I had the opportunity to have a brief chat with my old friend the assistant deputy minister for the assessment division when we met out on the front stairs when we snuck out for a cigarette. My pleasure in terms of addressing this bill ends with that friendly meeting downstairs. My comments from that point on in relation to Bill 37 are not very complimentary.

I refer the minister to a number of items that relate directly to property assessment in Ontario and specifically as well to the graduated list of business percentages on which the business taxes have been levied for many years now.

During the 1960s we had the Smith committee on assessment reform in Ontario. The assessment problem has been studied to death ever since that time. We had the Report of the Commission on the Reform of Property Taxation in Ontario in 1977. The Smith report and that report both

found the same problems of inequity with the graduated percentages that are applied to create business assessments for the purpose of paying business taxes at the municipal level. They all found that those graduated percentages were unfair—inherently unfair, internally unfair, comparatively unfair—and that there was no way you could rationalize any fairness into that graduated system.

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Unfortunately, this Liberal government has fallen into the same trap as the Conservative government which preceded it. Having spent endless time and money studying the unfairnesses in the property tax system, having had commission after commission and select committees and so on and so forth, they have failed to muster the political courage to implement the changes which those costly, time-consuming studies have recommended. We are still sitting in a province where for 20 years we have been saying the property tax system is an extremely out-of-date, antiquated and unfair system, yet we have not implemented the legislation that was passed to reform that property tax system.

Specifically in addressing Bill 37 instead of focusing on the whole range of property tax inequities, I would like to focus for just a few moments on the inequities that are inherent in the graduated tax structure which creates the business portion of the municipal property tax.

We have listened to member after member here in this House talking to the Minister of Transportation (Mr Fulton) and questioning him about the need for more government funds for public transit in our urban centres, and for interurban public transit as well for the purpose of trying to discourage commuters from driving from the suburban areas of municipalities and even from the hinterland around those municipalities into the core of the city to work, to park their cars where they work and then to drive home at night; to try to foster a system of some sanity in terms of our transportation in urban centres, so that we do not ultimately end up with the congestive, smelly mess we end up with here in Toronto in terms of the masses of single-owner automobiles that come into this city every day, unnecessarily in most cases, except for the lack of appropriate transit from wherever that person is coming.

We have a government that responds by saying: "We're trying to do everything we can. We're pouring hundreds of millions of dollars into urban public transit. What do we do in the tax system?"

We have heard a number of members here today mention that the tax rates for business purposes range from 25 per cent all the way to 140 per cent. I ask you, Mr Speaker, without committing yourself in this debate in any way, to venture a guess as to what might be the lowest rate of business tax in the province under the Assessment Act.

It happens to be car parking: the very thing we are trying to discourage in Ontario, people driving their cars into the downtown cores of our urban centres. What do we do? We make it possible for the car parking industry to keep its prices low enough to continue to attract people away from public transit; 25 per cent is what we charge businesses that operate car parks.

The next lowest percentages are at 50 per cent, and that includes the professions, that is, doctors, lawyers, dentists and so on. At the same percentage rate are also retail stores.

The next step up from that at 60 per cent is manufacturing, and I want you to think about this one as well, Mr Speaker. We have a situation in this province, and right across this country for that matter, where for many years members of all three of the mainstream political parties in this country have been saying that we have to stop being resource extractionists. We have to stop being drawers of water and hewers of wood and we have to start doing some of the resource-related manufacturing right here at home. We do not want to just retail the products that somebody else has made with our resources.

But when manufacturers set up business in this province, we charge them a higher tax rate at the municipal level than we charge for somebody who just retails those items that somebody else made with our resources. It does not make a whole lot of sense in terms of the kinds of economic goals we stand up and talk about day in and day out ad nauseam in this place. If we are going to have business economic growth strategies for Ontario, for Canada, they have to be co-ordinated policies that touch all aspects of government policymaking and government legislation.

I would like to give some examples that fit into the structure that I have just described, some examples of just how ludicrous the application of this system can become and, therefore, why we find it objectionable that the highest rate, the 140 per cent that is being reduced for distillers as a change by itself in an inherently unfair system, is not an adequate approach to legislation where tax fairness is concerned.

It is the chicken way out, if you like, afraid to deal with the mass of the problem that exists province-wide but prepared ultimately to crumble because, as a number of members here today have said, it is limited to an impact on 12 or 14 municipalities and the overall dollar value of the impact is small in the larger scheme of things.

If we really did the job of fixing all the inequities that exist in this graduated scale of business tax assessments, we would have a much bigger political problem to deal with, the same as we have had with the whole question of market value assessment. We run away from that political problem. We will not face up to the political consequences of trying to fix the system to make it fairer for everyone involved.

Back to the examples I wanted to start to make. Just the other day, I had a small businessman in my riding in to see me. He runs a small variety store/snack bar. When I say "small," I mean very small. His business has been there for about 30 years in the same location, but it is a very small business. It has been a steady business over the years, and he has become an integral part of the community.

But he is now facing not only very serious competition for the last 15 years, I guess, as the chain variety-type stores have evolved out there, but also a new challenge. Because he has a small establishment and because the chain stores for the most part have taken over all the gas stations of yesteryear so they not only have much larger establishments but have parking around their establishments as well, with the 7 Elevens and the Bantams and whatever else. They also have the ability to stock more goods in the store.

This businessman to whom I am referring came to me with a very specific problem, a problem that relates to the bottlers and distributors of soft drinks. It used to be that they would tell him that the minimum order he could buy was 15 cases and he could manage to get 15 cases into his very small storeroom. They have now come in and said: "Look, we are having to make too many trips here to just bring you 15 cases every time you need pop. The minimum order from this point on will be 35 cases." He is going to have to compete with those chains out there, many of which are owned by the very companies to which we are referring that produce and bottle the pop in the first place, because they have started to buy out those chains.

If we look at this list of business percentages that sets out the business taxes in the Assessment Act, look at how we treat independent retailers and look at how we treat those chain retailers,

many of which are associated with manufacturers, we tend to forget the manufacturing aspect of that larger corporate entity. That chain store still operates with the same advantage of the small, truly independent retailer. But are we here doing anything real to fight and to protect the legitimate small businesses in this province?

Mr Speaker, I see you trying to catch my eye to bring the clock to my attention.

On motion by Mr Charlton, the debate was adjourned.

The House adjourned at 1800.

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

HEALTH INNOVATION FUND

82 Mr Eves: Would the Minister of Health provide the details (amount of grant, name of organization, purpose and when it was issued) of any grants issued from the \$100-million health innovation fund announced in August 1987? [Tabled 4 May 1989]

Hon Mrs Caplan: To date, there have been no grants issued from the fund. The health innovation fund announced that it would be accepting proposals in December 1988. The first competition closed on 1 March 1989. These proposals were screened to determine eligibility to move on to phase 2, in which a detailed proposal is required. The closing date for detailed proposals was 5 May 1989. The proposals will now be reviewed by the local district health councils, appropriate ministry program areas, expert panels and an independent expert on evaluation protocols. Recommendations from the review groups will be submitted to the health innovation committee. The committee will then recommend

projects for approval to the Premier's Council.

83 Mr Eves: Would the Minister of Health provide the details of moneys spent from the health innovation fund for any purposes? [Tabled 4 May 1989]

Hon Mrs Caplan: Health status survey, \$78,725; health strategies fund operations, \$34,817; Premier's Council special studies, \$378,829; total, \$492,371.

GOVERNMENT PUBLICATIONS

92 Mr Eves: Would the Minister of Health provide a breakdown of the costs of the discussion package released on 10 April 1989, entitled Deciding the Future of Our Health Care, including the number printed, the production costs of this material, the name of the company that received the printing contract and state where this material has been distributed in Ontario? [Tabled 4 May 1989]

Hon Mrs Caplan: The answer is as follows:

Item	Quantity	Cost		
		Creative	Print	Printer
Discussion paper	50,000 English 5,000 French	\$6,184.34	\$51,166.08	Mills Webb
Fact sheet	50,000 English 5,000 French	906.18	9,192.96	Mills Webb
Kit cover	50,000 English 5,000 French	2,515.97	39,342.24	York Litho

Initial distribution of 2,388 included hospitals, health units, district health councils, health care agencies and associations, libraries. Orders received to date total 11,075 copies.

149 Mr J. M. Johnson: Would the Minister of Government Services state the cost of production of the handbook entitled Serving You, how many copies were produced and where they were distributed? [Tabled 11 May 1989]

Hon Mr Patten: The total cost to produce the Ministry of Government Services handbook entitled Serving You was \$28,075.93. This cost included \$10,659 for design, layout and type-setting and \$17,416.93 for printing.

In total, 12,080 copies were printed and distributed to appropriate staff in all Ontario government ministries and agencies and to suppliers as appropriate.

Note: Serving You is a 1989 edition of a publication produced in 1985 as a service to our clients, which was substantially revised to reflect a major reorganization of the ministry's activities. It is expected to be useful to our clients for a minimum of four years.

150 Mr J. M. Johnson: Would the Minister of Government Services state the name of the company or companies involved in the production of the handbook entitled Serving You and the method by which the contracts for this work were awarded? [Tabled 11 May 1989]

Hon Mr Patten: The following companies were involved in the production of the Ministry of Government Services handbook entitled Serving You.

Aspin Communications had the lowest firm

bid of three written quotations and was awarded the contract for design, layout and typesetting.

Maracle Press Ltd was the lowest bidder of seven written quotations and was awarded the contract for printing.

RESPONSES TO PETITIONS

NATUROPATHY

Sessional paper P-1, re naturopathy.

Hon Mrs Caplan: The final recommendations of the health professions legislation review were tabled in the Legislature on 26 January 1989. In its final recommendations, the review continued to recommend that the profession of naturopathy not be statutorily self-governing. Naturopaths would remain able to practise without specific legislation.

The Ministry of Health has circulated the HPLR's final recommendations to professional governing bodies and other interested parties and is itself assessing the recommendations and their implications. I am meeting with those groups most affected by the review and its recommendations prior to introducing legislation. Included in these groups will be the board of directors of Drugless Therapy-Naturopaths and the Ontario Naturopathic Association.

TEACHERS' SUPERANNUATION

Sessional paper P-2, re Teachers' Superannuation Act.

Hon Mr Ward: The issue of providing a pension based on a "best five" years' service to those who have already retired must be viewed in the context of the overall financial situation of the teachers' pension plan.

Studies have shown that a "best five" recalculation would have considerable cost implications for the teachers' pension funds. Studies have also indicated that such a measure would not provide significant improvements for those who retired prior to 1976 and did not benefit from improved salary conditions and inflation protection.

In 1985 this issue was referred to the Public Sector Pensions Advisory Board, which reviewed the matter and recommended against such a change. Following these recommendations, the government decided that the most effective use of limited resources would be to augment low pensions with an ad hoc increase for teachers who retired prior to 1976. This improvement was implemented in 1987 and has been paid for entirely by the government.

SCHOOL OPENING AND CLOSING EXERCISES

Sessional paper P-3, re Lord's Prayer.

Hon Mr Ward: On 23 September 1988, the Ontario Court of Appeal struck down subsection 28(1) of regulation 262 as an infringement of religious freedom under the Canadian Charter of Rights and Freedoms. The spirit of the decision was that in opening or closing exercises in public schools one religion must not be given a position of primacy and that the content of opening or closing exercises must reflect the multicultural realities and traditions of Ontario society.

The amendments which I announced on 12 January 1989 allow opening or closing exercises to continue in Ontario public elementary and secondary schools in a manner consistent with the spirit of the court's ruling.

The amendments allow the Lord's Prayer to continue to have a place in opening or closing exercises as a reading. However, it may not be given a position of primacy and the collective recitation of a reading from a particular religious tradition can no longer be permitted as such a practice is not in accordance with the Canadian Charter of Rights and Freedoms.

Where a board chooses to offer a balanced selection of readings drawn from secular and scriptural writings, students will benefit from exposure to the social, moral and spiritual traditions representative of Ontario's multicultural society.

The public elementary and secondary schools of Ontario are open and accessible to all on an equal basis irrespective of creed. They are founded on the positive societal values which, in general, Canadians hold and regard as essential to the wellbeing of our society. These values transcend cultures and faiths, reinforce democratic rights and responsibilities, and are based on a fundamental belief in the worth of all persons.

WORKERS' COMPENSATION

Sessional paper P-7, re workers' compensation.

Hon Mr Sorbara: Bill 162, An Act to amend the Workers' Compensation Act, will result in significant improvements in the Ontario workers' compensation system. The bill does respond to the recent Task Force Report on the Workers' Compensation Board Vocational Rehabilitation Services by providing for timely and effective rehabilitation services. The re-employment obligations placed on employers

will assist many more workers return to work more quickly.

The bill also provides for a new dual award approach to compensating injured workers for the impact of a permanent disability resulting from a workplace accident. In addition, the bill makes provision for supplementary benefits for those current recipients of permanent disability

awards who are not being compensated adequately.

The bill has already received second reading and has been sent to the standing committee on resources development for its consideration. That consideration is now in process and should be allowed to continue.

ALPHABETICAL LIST OF MEMBERS*

(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

-
- Adams, Peter (Peterborough L)
 Allen, Richard (Hamilton West NDP)
 Ballinger, William G. (Durham-York L)
 Beer, Charles (York North L)
 Black, Kenneth H. (Muskoka-Georgian Bay L)
 Bossy, Maurice L. (Chatham-Kent L)
Bradley, Hon James J., Minister of the Environment (St Catharines L)
 Brandt, Andrew S. (Sarnia PC)
 Breagh, Michael J. (Oshawa NDP)
 Brown, Michael A. (Algoma-Manitoulin L)
 Bryden, Marion (Beaches-Woodbine NDP)
 Callahan, Robert V. (Brampton South L)
 Campbell, Sterling (Sudbury L)
Caplan, Hon Elinor, Minister of Health (Oriole L)
 Carrothers, Douglas A. (Oakville South L)
 Charlton, Brian A. (Hamilton Mountain NDP)
 Chiarelli, Robert (Ottawa West L)
 Cleary, John C. (Cornwall L)
 Collins, Shirley (Wentworth East L)
Conway, Hon Sean G., Minister of Mines (Renfrew North L)
 Cooke, David R. (Kitchener L)
 Cooke, David S. (Windsor-Riverside NDP)
 Cordiano, Joseph (Lawrence L)
 Cousens, W. Donald (Markham PC)
 Cunningham, Dianne E. (London North PC)
 Cureatz, Sam L. (Durham East PC)
Curling, Hon Alvin, Minister of Skills Development (Scarborough North L)
 Daigeler, Hans (Nepean L)
 Dietsch, Michael M. (St Catharines-Brock L)
Eakins, Hon John F., Minister of Municipal Affairs (Victoria-Haliburton L)
Edighoffer, Hon Hugh A., Speaker (Perth L)
 Elliot, R. Walter (Halton North L)
Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)
 Epp, Herbert A. (Waterloo North L)
 Eves, Ernie L. (Parry Sound PC)
 Farnan, Michael (Cambridge NDP)
 Faubert, Frank (Scarborough-Ellesmere L)
 Fawcett, Joan M. (Northumberland L)
 Ferraro, Rick E. (Guelph L)
 Fleet, David (High Park-Swansea L)
Fontaine, Hon René, Minister of Northern Development (Cochrane North L)
Fulton, Hon Ed, Minister of Transportation (Scarborough East L)
 Furlong, Allan W. (Durham Centre L)
Grandmaitre, Hon Bernard C., Minister of Revenue (Ottawa East L)
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)
 Haggerty, Ray (Niagara South L)
 Hampton, Howard (Rainy River NDP)
 Harris, Michael D. (Nipissing PC)
 Hart, Christine E. (York East L)
 Henderson, D. James (Etobicoke-Humber L)
Hošek, Hon Chaviva, Minister of Housing (Oakwood L)
 Jackson, Cameron (Burlington South PC)
 Johnson, Jack (Wellington PC)
 Johnston, Richard F. (Scarborough West NDP)
 Kanter, Ron (St Andrew-St Patrick L)
Kerrio, Hon Vincent G., Minister of Natural Resources (Niagara Falls L)
 Keyes, Kenneth A. (Kingston and The Islands L)
 Kormos, Peter (Welland-Thorold NDP)
 Kozyra, Taras B. (Port Arthur L)
Kwinter, Hon Monte, Minister of Industry, Trade and Technology (Wilson Heights L)
 Laughren, Floyd (Nickel Belt NDP)
 LeBourdais, Linda (Etobicoke West L)
 Leone, Laureano (Downsview L)
 Lipsett, Ron (Grey L)
 Lupusella, Tony (Dovercourt L)
 MacDonald, Keith (Prince Edward-Lennox L)
 Mackenzie, Bob (Hamilton East NDP)
 Mahoney, Steven W. (Mississauga West L)
Mancini, Hon Remo, Minister without Portfolio (Essex South L)
 Marland, Margaret (Mississauga South PC)
 Martel, Shelley (Sudbury East NDP)
 Matrondola, Gino (Willowdale L)
 McCague, George R. (Simcoe West PC)
 McClelland, Carman (Brampton North L)
 McGuigan, James F. (Essex-Kent L)
 McGuinty, Dalton J. (Ottawa South L)
 McLean, Allan K. (Simcoe East PC)
McLeod, Hon Lyn, Minister of Colleges and Universities (Fort William L)
 Miclash, Frank (Kenora L)

Miller, Gordon I. (Norfolk L)
 Morin, Gilles E. (Carleton East L)
 Morin-Strom, Karl E. (Sault Ste Marie NDP)
 Neumann, David E. (Brantford L)
 Nicholas, Cindy (Scarborough Centre L)
 Nixon, J. Bradford (York Mills L)
Nixon, Hon Robert F., Deputy Premier and Treasurer of Ontario and Minister of Economics (Brant-Haldimand L)
Oddie Munro, Hon Lily, Minister of Culture and Communications (Hamilton Centre L)
 Offer, Steven (Mississauga North L)
O'Neil, Hon Hugh P., Minister of Tourism and Recreation (Quinte L)
 O'Neill, Yvonne (Ottawa-Rideau L)
 Owen, Bruce (Simcoe Centre L)
Patten, Hon Richard, Minister of Government Services (Ottawa Centre L)
 Pelissero, Harry E. (Lincoln L)
Peterson, Hon David R., Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)
 Philip, Ed (Etobicoke-Rexdale NDP)
Phillips, Hon Gerry, Minister of Citizenship (Scarborough-Agincourt L)
 Poirier, Jean, Deputy Speaker and Chairman of the Committees of the Whole House (Prescott and Russell L)
 Pollock, Jim (Hastings-Peterborough PC)
 Polsinelli, Claudio (Yorkview L)
 Poole, Dianne (Eglinton L)
 Pope, Alan W. (Cochrane South PC)
 Pouliot, Gilles (Lake Nipigon NDP)
 Rae, Bob (York South NDP)
Ramsay, Hon David, Minister of Correctional Services (Timiskaming L)
 Ray, Michael C., Deputy Chairman of the Committees of the Whole House (Windsor-Walkerville L)
 Reville, David (Riverdale NDP)
 Reyecraft, Douglas R. (Middlesex L)
Riddell, Hon Jack, Minister of Agriculture and Food (Huron L)
 Roberts, Marietta L. D. (Elgin L)
 Runciman, Robert W. (Leeds-Grenville PC)
 Ruprecht, Tony (Parkdale L)
Scott, Hon Ian G., Attorney General and acting Solicitor General and minister responsible for native affairs (St George-St David L)
 Smith, David W. (Lambton L)
 Smith, E. Joan, (London South L)
 Sola, John (Mississauga East L)
Sorbara, Hon Gregory S., Minister of Labour (York Centre L)

South, Larry (Frontenac-Addington L)
 Sterling, Norman W. (Carleton PC)
 Stoner, Norah (Durham West L)
 Sullivan, Barbara (Halton Centre L)
Sweeney, Hon John, Minister of Community and Social Services (Kitchener-Wilmot L)
 Tatham, Charlie (Oxford L)
 Velshi, Murad (Don Mills L)
 Villeneuve, Noble (Stormont, Dundas and Glengarry PC)
Ward, Hon Christopher C., Minister of Education (Wentworth North L)
 Wildman, Bud (Algoma NDP)
Wilson, Hon Mavis, Minister without Portfolio (Dufferin-Peel L)
 Wiseman, Douglas J. (Lanark-Renfrew PC)
Wong, Hon Robert C., Minister of Energy (Fort York L)
Wrye, Hon William, Minister of Consumer and Commercial Relations (Windsor-Sandwich L)

EXECUTIVE COUNCIL

Peterson, Hon David R., Premier and President of the Council and Minister of Intergovernmental Affairs
 Nixon, Hon Robert F., Deputy Premier, Treasurer of Ontario and Minister of Economics
 Conway, Hon Sean G., Minister of Mines
 Bradley, Hon James J., Minister of the Environment
 Scott, Hon Ian G., Attorney General and acting Solicitor General
 Riddell, Hon Jack, Minister of Agriculture and Food
 Eakins, Hon John F., Minister of Municipal Affairs
 Kerrio, Hon Vincent G., Minister of Natural Resources
 O'Neil, Hon Hugh P., Minister of Tourism and Recreation
 Sweeney, Hon John, Minister of Community and Social Services
 Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions
 Wrye, Hon William, Minister of Consumer and Commercial Relations
 Grandmaitre, Hon Bernard C., Minister of Revenue
 Curling, Hon Alvin, Minister of Skills Development
 Fulton, Hon Ed, Minister of Transportation
 Kwinter, Hon Monte, Minister of Industry, Trade and Technology

Oddie Munro, Hon Lily, Minister of Culture and Communications
 Sorbara, Hon Gregory S., Minister of Labour
 Caplan, Hon Elinor, Minister of Health
 Fontaine, Hon René, Minister of Northern Development
 Ramsay, Hon David, Minister of Correctional Services
 Ward, Hon Christopher C., Minister of Education
 Hošek, Hon Chaviva, Minister of Housing
 McLeod, Hon Lyn, Minister of Colleges and Universities
 Patten, Hon Richard, Minister of Government Services
 Phillips, Hon Gerry, Minister of Citizenship
 Wong, Hon Robert C., Minister of Energy
 Mancini, Hon Remo, Minister without Portfolio
 Wilson, Hon Mavis, Minister without Portfolio

PARLIAMENTARY ASSISTANTS

Ballinger, William G.: assistant to the Minister of Natural Resources (Durham-York L)
 Beer, Charles: assistant to the Minister of Education (York North L)
 Brown, Michael A.: assistant to the Minister of Mines (Algoma-Manitoulin L)
 Cordiano, Joseph: assistant to the Minister of Tourism and Recreation (Lawrence L)
 Faubert, Frank: assistant to the Minister of Revenue (Scarborough-Ellesmere L)
 Ferraro, Rick E.: assistant to the Minister of Financial Institutions (Guelph L)
 Haggerty, Ray: assistant to the Minister of Consumer and Commercial Relations (Niagara South L)
 Hart, Christine E. (Ms): assistant to the Minister of Treasury and Economics (York East L)
 Kanter, Ron: assistant to the Solicitor General (St Andrew-St Patrick L)
 Keyes, Kenneth A.: assistant to the Minister of Health (Kingston and The Islands L)
 LeBourdais, Linda (Mrs): assistant to the Minister of Intergovernmental Affairs (Etobicoke West L)
 Leone, Laureano: assistant to the Minister of Culture and Communications (Downsview L)
 Lupusella, Tony: assistant to the Minister of Government Services (Dovercourt L)
 Mahoney, Steven W.: assistant to the Minister of Industry, Trade and Technology (Mississauga West L)
 McClelland, Carman: assistant to the Minister of the Environment (Brampton North L)
 McGuigan, James F.: assistant to the Minister of Transportation (Essex-Kent L)

McGuinty, Dalton J.: assistant to the Minister of Skills Development (Ottawa South L)
 Miclash, Frank: assistant to the Minister of Northern Development (Kenora L)
 Miller, Gordon I.: assistant to the Minister of Agriculture and Food (Norfolk L)
 Morin, Gilles E.: assistant to the Minister of Colleges and Universities (Carleton East L)
 Nixon, J. Bradford: assistant to the Minister of Housing (York Mills L)
 Offer, Steven: assistant to the Attorney General (Mississauga North L)
 Polsinelli, Claudio: assistant to the Minister of Municipal Affairs (Yorkview L)
 Ruprecht, Tony: assistant to the Minister of Community and Social Services (Parkdale L)
 Smith, David W.: assistant to the Minister of Correctional Services (Lambton L)
 South, Larry: assistant to the Minister of Energy (Frontenac-Addington L)
 Sullivan, Barbara (Mrs): assistant to the Minister of Labour (Halton Centre L)
 Velshi, Murad: assistant to the Minister of Citizenship (Don Mills L)

STANDING COMMITTEES

Administration of justice: chairman, Mr Callahan; vice-chairman, Mr Chiarelli; members, Messrs Hampton, Kanter, Kormos, Mahoney, McGuinty, Offer, Polsinelli, Runciman and Sterling; clerk, Douglas Arnott.

Finance and economic affairs: chairman, Mr D. R. Cooke; vice-chairman, Mr Pelissero; members, Messrs Cleary, Ferraro, Haggerty, Ms Hart, Messrs Kozyra, Mackenzie, McCague, Morin-Strom, and Pope; clerk, Lisa Freedman.

General government: chairman, Mr Elliot; vice-chairman, Mr Faubert; members, Ms Bryden, Messrs Callahan, Charlton, Cordiano, Cureatz, Fleet, McLean, Ruprecht and Sola; clerk, Franco Carrozza.

Government agencies: chairman, Mr McLean; vice-chairman, Mrs Marland; members, Messrs Ballinger, Breaugh, Farnan, Miller, J. B. Nixon, Miss Roberts, Messrs Runciman, South and Velshi; clerk, Harold Brown.

Legislative Assembly: chairman, Mr Epp; vice-chairman, Mr Campbell; members, Messrs Breaugh, Farnan, J. M. Johnson, Matrondola, McClelland, Morin, Sterling, Mrs Stoner and Mrs Sullivan; clerk, Deborah Deller.

Ombudsman: chairman, Miss Nicholas; vice-chairman, Mr Bossy; members, Ms Bryden, Messrs Carrothers, Cousens, Henderson, Mrs

LeBourdais, Messrs Lupusella, MacDonald, Philip and Pollock; clerk, Franco Carrozza.

Public accounts: chairman, Mr Philip; vice-chairman, Mr Pouliot; members, Messrs Adams, Ballinger, Charlton, Ms Collins, Mr Cousens, Mrs Fawcett, Miss Nicholas, Messrs J. B. Nixon and Villeneuve; clerk, Douglas Arnott.

Regulations and private bills: chairman, Mr Furlong; vice-chairman, Mr Sola; members, Messrs Black, Keyes, Leone, Mackenzie, McCague, Miclash, Morin-Strom, Pollock, D. W. Smith, and Sola; clerk, Lisa Freedman.

Resources development: chairman, Mr Laughren; vice-chairman, Mr Wildman; members, Messrs Brown, Dietsch, Lipsett, Mrs Marland, Miss Martel, Mr McGuigan, Mrs Stoner, Messrs Tatham and Wiseman; clerk, Lynn Mellor.

Social development: chairman, Neumann; vice-chairman, Mrs O'Neill; members, Messrs Allen, Beer, Carrothers, Mrs Cunningham, Messrs

Daigeler, Jackson, R. F. Johnston, Owen and Ms Poole; clerk, Todd Decker.

SELECT COMMITTEE

Education: chairman, Ms Poole; vice-chairman, Mr Mahoney; members, Messrs Beer, D. S. Cooke, Furlong, Jackson, R. F. Johnston, Keyes, Miclash, Mrs O'Neill and Mr Villeneuve; clerk, Harold Brown.

SPECIAL COMMITTEE

Parliamentary precinct: co-chairmen: Hon Mr Edighoffer and Mr Epp; members, Messrs Breaugh, Reycraft and Sterling; clerk, Smirle Forsyth.

*The alphabetical list of members appears in each issue. The other lists, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

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